

Town of Esterhazy

Bylaw No. 748-18

A Bylaw of the Town of Esterhazy to Amend Bylaw No.658-11 known as the Zoning Bylaw

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The Council of the Town of Esterhazy, in the Province of Saskatchewan, enacts to amend Bylaw No. 658-11 as follows:

1. Under Section 2 Definitions insert the following:
  - a. Cannabis Plant: a plant that belongs to the genus *Cannabis*.
  - b. Cannabis Online Sales: the sale of cannabis products through on-line sales.
  - c. Cannabis Retail Outlet: an establishment that has received a permit from the Saskatchewan Liquor and Gaming Authority where the sale of cannabis, cannabis accessories, and ancillary items are authorized.
  - d. Online Sales: a form of electronic commerce which allows consumers to directly buy goods or services from a seller over the internet using a web browser.
  
2. Under Section 4 General Regulations:
  - a. Insert Section 4.37 Cannabis Sale Requirements:
    - i. All commercial cannabis related operations shall require as part of the development permit application and review process:
      1. Legal authorization under the laws of the Government of Canada,
      2. Legal authorization under the laws of the Province of Saskatchewan, and
      3. Approved licensing from the Government of Canada and/or the Province of Saskatchewan, as required under statute.
    - ii. Cannabis on-line sales shall be prohibited as a home-based business.
    - iii. Cannabis online retail sales shall be considered an accessory use to a cannabis retail sales outlet.
    - iv. Commercial retail sales businesses shall be subject to a building setback of no less than 100 metres from a school.
    - v. Development permit applications for a cannabis related business shall include a plan view or rendering showing the portion of the building facing the street, and examples of signage, flagging or sandwich boards that are to be used to advertise the business.
    - vi. Cannabis Retail sales outlet shall be added as a discretionary use the following zoning districts:
      1. C1 Town Centre Commercial District, and
      2. C2 Highway Commercial District.
  
3. Under Section 5.10.2 Discretionary Uses to insert:
  - a. h) cannabis retail sales outlet
  
4. Under Section 5.10.8 Supplementary Regulations to insert
  - a. 5.10.8.3 Dwelling Units:
    - i. Dwelling units shall have a floor area smaller than or equal to the total gross floor area in commercial use.
    - ii. One accessory dwelling unit accessory to a retail or commercial use may be considered by Council where the unit is used for the operator of the business to which the dwelling unit is accessory.
    - iii. The dwelling unit shall be located in the principal building.
    - iv. Dwelling units shall have an entrance separate from that of the store or commercial establishment, and provided a fire exit secondary to the required entrance.

v. Accessory residential uses shall conform to the provincial Public Health and Fire Regulations.

5. Under Section 5.11.2 Discretionary Uses to insert:

- a. g) Cannabis retail sales outlet
- h) Dwellings located in commercial establishments

This Bylaw shall come into force and take effect from the date that the Government of Canada and the Government of Saskatchewan implement legislation that makes this Bylaw lawful; and upon the date on which it is approved by Town Council.



  
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Mayor

  
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Chief Administrative Officer