

BYLAW 2018-03

BEING A BYLAW OF PARKLAND COUNTY FOR THE PURPOSE OF AMENDING LAND USE BYLAW 2017-18 IN RELATION TO CANNABIS PHASE 1 CANNABIS DEFINITIONS

WHEREAS the Council of Parkland County passed a Bylaw pursuant to Part 17, Section 630 of the Municipal Government Act, R.S.A. 2000, c.M-26, known as the Parkland County Land Use Bylaw 2017-18 for the purpose of regulating and controlling the use and development of land and buildings within Parkland County;

WHEREAS and pursuant to Part 17, Section 692 of the Municipal Government Act the Council of a municipality is authorized to amend a Land Use Bylaw; and

WHEREAS Section 692 of the Municipal Government Act requires the Council of a municipality to hold a public hearing and advertise such a Bylaw in accordance with Sections 230 and Section 606 of the Municipal Government Act, respectively.

NOW THEREFORE the Council of Parkland County duly assembled and under the authority of the Municipal Government Act, as amended, hereby enacts the following:

BYLAW 2018-03 AMENDMENTS:

1. That Bylaw 2017-18, being the Land Use Bylaw is amended as follows:

(1) Adding the following definition in Section 20.2:

- a. **CANNABIS** means all or part of a plant from the *Cannabis genus*, including any products that contains any part thereof. This does not include hemp.

(2) Adding the following Use Class definitions to Section 20.3:

- a. **CANNABIS RETAIL SALES** means a development, or any part thereof, used for the retail sale of Cannabis. Does not include Cannabis Production and Distribution or Convenience Retail.
- b. **CANNABIS PRODUCTION FACILITY** means a development, or any part thereof, that involves the production, cultivation, and growth of Cannabis and Cannabis products. This includes one or more of the following: making, testing, manufacturing, assembling or altering the chemical and physical properties of finished and semi-finished goods and products. This use class does not preclude the storage, and transporting of products and materials related to Cannabis production.
- c. **CANNABIS CONSUMPTION FACILITY** means a development, or any part thereof, licensed to sell Cannabis to the public for consumption within with the premises.

(3) Revising the following definitions in Section 20.3:

- a. **CONVENIENCE RETAIL SERVICES** means development used for the retail sale of those goods required by area residents or employees on a day-to-day basis, from business premises that do not exceed 275.0 m² in gross floor area. Typical uses include small food stores, gas bars, drug stores and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter. Whole or retail Liquor Sales/Distribution Outlets or facilities are not included in this use class. This use class does not include Cannabis Retail Sales.
- b. **EXTENSIVE AGRICULTURE DEVELOPMENT** means a system of tillage including the associated clearing of land for agricultural production purposes, which depends upon large areas of land for the raising of crops. Extensive agricultural uses include buildings and other structures incidental to farming as well as farm related uses. Extensive Agriculture Development does include the off-site removal and export of logs or trees. This use class does not include Cannabis Production Facility.
- c. **GENERAL COMMERCIAL RETAIL SERVICES** means development used for the retail rental or sale of groceries, beverages, household goods, furniture and appliances, hardware, lumber, printed matter, secondhand/used household goods (and related repair and refurnishing activities), personal care items, automotive parts and accessories, stationary, office equipment and similar goods. Wholesale or retail liquor sales/distribution services sales/distribution outlets or facilities are not included in this use class. This use class does not include Cannabis Retail Sales.
- d. **GENERAL INDUSTRIAL MANUFACTURING/PROCESSING** means development principally associated with manufacturing, assembling, fabrication, processing and research/testing activities. Without restricting the generality of the foregoing, typical facilities would include plants involved with natural gas or its derivatives; pulp and paper products; stone, clay, glass, plastic, wood, rubber or metal products; cement or lime products; automotive assembly or fabrication. This use class does not include Cannabis Production Facility.
- e. **HORTICULTURAL USE** means a Commercial horticultural operation other than a Confined Feeding Operation that, due to the nature of the operation, requires smaller tracts of land. Without restricting the generality of the foregoing, this shall include horticultural uses like nurseries, greenhouses, market gardens, tree farms, and specialty crops (not including Cannabis).
- f. **INDUSTRIAL, HEAVY** means a large scale manufacturing or processing facility requiring a license, permit or authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator or other federal or provincial approving authority. Without restricting the generality of the foregoing, these uses would generally be related to the oil and gas industry and

would include for example: upgraders, plants for the manufacture of petroleum products, fertilizers, chemicals and the processing of natural gas and its derivatives. A Heavy Industrial use may require large amounts of land, energy, water and other natural resources in its operation. It may also have impacts that extend beyond the boundaries of the site, such as high volumes of heavy vehicle movement; potential for pollution of air, soil or water, or nuisance as a result of noise, smoke, odour, dust, fumes, glare or humidity; or hazard arising from fire explosion, radiation or contamination. This use class does not include Cannabis Production Facility.

- g. **INDUSTRIAL STORAGE AND WAREHOUSING** means development (including a security suite as defined by this Bylaw used solely for security purposes) used for either indoor or outdoor storage, warehousing, distribution or trans-shipment of raw materials, partially processed or finished goods, manufactured products, or equipment. Typical facilities would include pipe yards, heavy equipment service and storage, lumber yards, storage/warehousing compounds or distribution centres. Generally no additional processing would occur on site. This use class does not include Cannabis Production Facility.
- h. **OUTDOOR EATING ESTABLISHMENT** means a commercial development where foods and beverages are prepared and served for consumption on-site by the public either outside or inside the confines of the establishment. This use class does not include Cannabis Consumption Facility.

(4) Delete the following definition from Section 20.3:

- a. **SPECIALIZED BOTANICAL PRODUCTION FACILITY** means a Development in a stand-alone Building where marijuana plants are grown, processed, packaged, tested, destroyed, stored, distributed, or loaded for shipping.

(5) The following Use will be removed Section 4.1.2c) (Discretionary Uses in the Agricultural General District):

- a. **SPECIALIZED BOTANICAL PRODUCTION FACILITY**

(6) The following Use will be added in Section 4.1.2c) (Discretionary Uses in the Agricultural General District):

- a. **CANNABIS PRODUCTION FACILITY**

(7) Adding the following Use Classes in Section 11.1.2 Uses (list of uses prohibited as Accessory Uses to any other use, unless specified in the Land Use District):

- a. **CANNABIS RETAIL SALES**
- b. **CANNABIS PRODUCTION FACILITY**

c. CANNABIS CONSUMPTION FACILITY

ENACTMENT/TRANSITION

2. Should any provision of this bylaw be deemed invalid then such invalid provision will be severed from this bylaw and such severance will not affect the validity of the remaining portions of this bylaw, except to the extent necessary to give effect to such severance.
3. This bylaw shall come into force and take effect on the day of third reading and signing thereof.

READ A FIRST TIME this _____ day of _____, 2018.

READ A SECOND TIME this _____ day of _____, 2018.

READ A THIRD TIME and finally passed this _____ day of _____, 2018.

SIGNED AND PASSED this _____ day of _____, 2018

Mayor

Chief Administrative Officer