

Topic: Cannabis Regulations - Land Use Bylaw amendment

Introduction

The following report provides supplemental information related to proposed amendments to Bylaw 2019-01 found in **Attachment 6 - Table of Proposed Amendments May 14th**. The Administrative Reports presented as part of the April 9th Public Hearing and March 12th Council Meeting can be found in **Attachment 13 and Attachment 19 (PREVIOUSLY CIRCULATED)**, respectively.

Facts (Background Information):

Proposed Bylaw 2019-01 is a Land Use Bylaw amendment intended to provide residents and business owners a range of development opportunities pertaining to cannabis cultivation, processing, and retail sales within Parkland County. This bylaw includes new definitions and specific use regulations associated with cannabis cultivation, processing and retail sales.

Parkland County Council gave First Reading to Bylaw 2019-01 – Cannabis Regulations on March 12th, 2019. On April 9th, Parkland County Council opened the Public Hearing to hear public comment on the bylaw. Council approved Administration's proposed amendments to the Bylaw, as outlined in the April 9th submission, see attachments 13-17.

Following the comments received by the general public and Council, Administration reviewed the proposed Bylaw 2019-01 in detail to ensure clarity of the bylaw. As a result of this, Administration is proposing additional amendments to the bylaw.

Analysis

Further to Council's comments and discussion, Administration is proposing some additional Amendments to Bylaw 2019-01

- The following proposed amendments can be found in **Attachment 6 - Table of Proposed Amendments May 14th**:
 1. Agricultural Industry Development (AGI) District:
 - Cannabis Cultivation, Major; Cannabis Cultivation, Minor; Cannabis Processing, Major; and, Cannabis Processing, Minor uses are to be listed as PERMITTED uses within the AGI District.
 - These uses were previously listed as DISCRETIONARY uses in the bylaw.
 - There is currently only one parcel of land in Parkland County that is districted as AGI, meaning that a landowner wishing to utilize this district would likely have to go through the County's Redistricting Process.
 - Administration would be able to determine the suitability of the site for the proposed use through the redistricting application process, therefore, the applicant

should have certainty of whether or not the use would be approved following a successful redistricting.

- This amendment streamlines the regulatory process.

2. Cannabis Cultivation, Major in Prime Agricultural Areas:

- Applicants proposing to locate Cannabis Cultivation, Major facilities within a Prime Agricultural Area, will be encouraged to locate on lower classed soils.
- This amendment allows Administration the flexibility to evaluate larger developments on their own merits and on a site by site basis rather than disallowing the use altogether within Prime Agricultural Areas.
- This amendment also supports economic development in areas adjacent to the County's hamlets that are located in Prime Agricultural Areas.

3. Micro-Cultivation Facility Size

- Under the existing proposed bylaw, a maximum facility size was recommended to ensure compatibility between land uses within the Agricultural and Country Residential Districts.
- Administration is recommending a minor amendment to the language in Section 12.27 of the proposed bylaw to ensure that facility size is not restricted in the Industrial Areas where nuisance factors are of a minor concern.

Alignment with other Statutory Plans and documents:

Bylaw 2019-01 has been written to align with key municipal statutory plans and documents including:

Parkland County Long Term Strategic Plan

The amendment aligns with the following strategic pillars from the Long Term Strategic Plan:

- Complete Communities
- Strategic Economic Diversification

Municipal Development Plan Bylaw 2017-14

The amendment aligns with key MDP objectives in the following areas:

- MDP Section 4.0 Agriculture
- MDP Section 5.0 Economic Competitiveness and Employment

Alternatives:

1. Council may choose to defeat Bylaw 2019-01 at Second Reading.

Recommendation:

Administration supports the proposed bylaw and amendments and recommends that upon closure of the Public Hearing, Council give Second and Third Reading to Bylaw 2019-01, as presented.

Attachments:

- Attachment 1: Public Hearing Chairs Notes
- Attachment 2: Bylaw 2019-01 Cannabis Related Land Use Regulations – As Amended April 9th, 2019
- Attachment 3: List of Speakers
- Attachment 4: Written Submissions
- Attachment 5: Administrative Report May 14th
- Attachment 6: Table of Proposed Amendments May 14th
- Attachment 7: Bylaw 2019-01 Cannabis Related Land Use Regulations (May 14th Amendments Redlined)
- Attachment 8: Bylaw 2019-01 Cannabis Related Land Use Regulations (May 14th Final with Amendments)
- Attachment 9: Land Use Bylaw 2017-18 Redlined (May 14th Amendments)
- Attachment 10: Bylaw 2019-01 Public Hearing Presentation – May 14th
- Attachment 11: List of Speakers- April 9th - PREVIOUSLY CIRCULATED
- Attachment 12: Written Submissions- April 9th - PREVIOUSLY CIRCULATED
- Attachment 13: Administrative Report- April 9th - PREVIOUSLY CIRCULATED
- Attachment 14: Table of Proposed Amendments- April 9th - PREVIOUSLY CIRCULATED AND APPROVED
- Attachment 15: Bylaw 2019-01 – April 9th Proposed Amendments – REDLINED - PREVIOUSLY CIRCULATED AND APPROVED
- Attachment 16: Bylaw 2019-01 – April 9th Final with Amendments – PREVIOUSLY CIRCULATED AND APPROVED
- Attachment 17: Land Use Bylaw 2017-18 (Redlined with April 9th Amendments) – PREVIOUSLY CIRCULATED
- Attachment 18: Public Hearing Presentation April 9th – PREVIOUSLY CIRCULATED
- Attachment 19: Administrative Report March 12th – PREVIOUSLY CIRCULATED
- Attachment 20: Land Use Bylaw 2017-18 – March 12th Redlined – PREVIOUSLY CIRCULATED
- Attachment 21: Background Research Report (PREVIOUSLY CIRCULATED)
- Attachment 22: What We Heard Report (PREVIOUSLY CIRCULATED)

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