



## ADMINISTRATIVE REPORT

Topic: Land Use Bylaw Amendment – Bylaw 2018-03 Cannabis Definitions

### Introduction

The purpose of proposed Bylaw 2018-03 is to provide clarity of interpretation to Parkland County's Land Use Bylaw in advance of cannabis legalization. Bylaw 2018-03 defines cannabis, and defines and adds cannabis retail sales, cannabis production facility, and cannabis consumption facility as new land use classifications; refine certain existing land use classifications to exclude activities covered in the new land use classifications; and prohibits the new land use classifications from being accessory to a principal use. With the exception of Cannabis Production Facility, the new land use classifications will not be assigned permitted or discretionary in any Land Use District at this time. Cannabis Production Facility replaces Specialized Botanical Production Facility use that is currently discretionary in the Agricultural General District only.

### Background Information:

#### Federal Government

On April 13, 2017, the Federal Government introduced Bill C-45 *The Cannabis Act* that addresses the regulation, sale, and cultivation of non-medical Cannabis across Canada. The Act is anticipated to be adopted in July 2018.

#### Provincial Government

In November 2017, the Alberta Government passed Bill 26: *An Act to Control and Regulate Cannabis* and Bill 29: *An Act to Reduce Cannabis and Alcohol Impaired Driving*. Sometime in 2018, the Alberta Government is expected to finalize the provincial regulations to non-medical cannabis.

#### First Reading

On February 27<sup>th</sup>, 2018 Council voted unanimously to give Bylaw 2018-03 first reading and to set the Public Hearing for March 27<sup>th</sup>, 2018 at 10:30 am.

### Analysis

Bylaw 2018-03 is attached to this report. Bylaw 2018-03 would:

- Create a new definition for Cannabis
- Create new uses classes for Cannabis Retail Sales, Cannabis Production Facility, and Cannabis Consumption Facility
- Revise the following use classes to exclude cannabis-related activities: Convenience Retail Services, Extensive Agriculture Development, General Commercial Retail Services, General Industrial

Manufacturing/Processing, Horticultural Use, Industrial Heavy, Industrial Storage and Warehousing, and Outdoor Eating Establishment

- Delete the use class Specialized Botanical Production Facility and remove class from Section 4.1.2c) (Discretionary Uses in the Agricultural General District)
- Add use class Cannabis Productive Facility to Section 4.1.2c) (Discretionary Uses in the Agricultural General District)
- Add Cannabis Retail Sales, Cannabis Production Facility, and Cannabis Consumption Facility to Section 11.1.2 (list of uses prohibited as Accessory Uses to any other use, unless specified in the Land Use District)

The intent of Bylaw 2018-03 is to ensure the Land Use Bylaw is equipped in advance of the Federal Government legalizing Cannabis. The amendments introduce new land use classifications; however, do not assign these uses to land use districts, nor do they set out specific development regulations. This approach creates a distinction between the new uses and similar existing uses thereby ensuring cannabis-related uses cannot be authorized under an existing use. The proposed amendments are the first step in consideration of potential land use implications. Administration will continue to monitor Federal and Provincial changes to regulations of non-medical Cannabis and additional amendments to the Land Use Bylaw are expected.

#### **Public Engagement:**

An Open House was held on February 7<sup>th</sup>, 2018 at the Parkland County Centre. The Open House was advertised in the Spruce Grove Examiner, the Stony Plain Reporter, the Parkland County's Facebook page, and the County's website. Five (5) members of the public showed up to the Open House and no comments were received.

#### **Recommendation:**

Administration recommends that Council give second and third readings to Bylaw 2018-03.

**AUTHOR: Jasmine Hall**

Department: Planning and Development

Date written: March 19, 2018