

Briefing Note

Title	7:00 p.m. - Public Hearing - Bylaw 1405/18, To Amend Land Use Bylaw 1385/17 to Add Cannabis Definitions
Issue	To provide an opportunity for members of the public to present their comments to Council regarding proposed Bylaw 1405/18.
Previous Council Direction	<p>May 8, 2018 Motion 144/18: That Council give first reading to Bylaw 1405/18, to amend Land Use Bylaw 1385/17 to add Cannabis definitions.</p> <p>March 13, 2018 Motion 073/18: That Council accept the Cannabis Legalization Information Report as information.</p> <p>Motion 074/18: That Council direct Administration to initiate the process to amend the Land Use Bylaw to add definitions in anticipation of the legalization of cannabis.</p>
Report	<p><u>Background Information</u></p> <ul style="list-style-type: none"> • The federal government has introduced bills that will allow for the legalization of cannabis, which are anticipated to come into effect in the summer of 2018. • In anticipation of the legalization of recreational cannabis, many municipalities are in the process of amending their land use bylaws to add definitions and regulations for cannabis-related activities. • On February 7, 2018, the Alberta Urban Municipalities Association (AUMA) put out a report prepared by Brownlee LLP titled “Amending Your Land Use Bylaw to Prepare for the Retail Sale of Cannabis”, which provides direction to municipalities on how to prepare for the legalization of cannabis. • On March 13, 2018, Council accepted a report on the legalization of cannabis and directed Administration to bring forward amendments to Land Use Bylaw 1385/17 (LUB) to add the definitions of cannabis, cannabis retail sales and cannabis production and distribution.

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- Based on the AUMA report, the County is proposing a two-step process to address cannabis within the LUB. The proposed steps are as follows:
 1. Add new definitions that define various cannabis activities and amend some of the existing definitions to exclude cannabis activities. The new definitions were sourced from three main areas, the AUMA Brownlee report, the *Cannabis Act* and the City of Edmonton.
 2. Consult with the public on where these new uses should go, where they should not go and what LUB regulations should be put into place to regulate them. The next step would be to amend the LUB accordingly.
 - It is important to note that this first round of proposed LUB amendments will only add the cannabis-related definitions to the definition section of the LUB and add clarification to existing definitions that do not include Cannabis Production and Distribution or Cannabis Retail Sales. This is to ensure that cannabis-related uses are considered distinct uses and will not be interpreted as part of other existing uses within the LUB. For instance, this would eliminate the possibility of a proponent contending that an existing use such as “retail sales” would include Cannabis Retail Sales.
 - The second round of LUB amendments, which will occur after federal legislation comes into effect, will determine in which land use districts, if any, cannabis production and distribution and cannabis retail sales may be allowed, and whether those uses will be permitted or discretionary.
 - Under the proposed provincial legislation adults will be allowed to grow up to four (4) cannabis plants per household. According to the Alberta Cannabis Secretariat, the County cannot regulate these four (4) plants through the LUB.

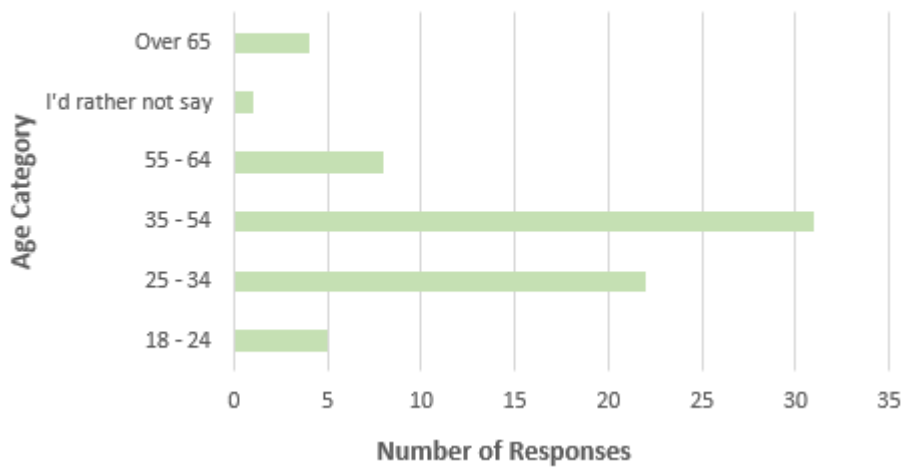
External Communication

- Sturgeon County attended a discussion at Regional Development Officers Forum regarding how other municipalities in the region are approaching this topic.
- For the Public Hearing, newspaper ads were placed for two consecutive weeks in the local papers (*Free Press* and *St. Albert Gazette*), as required by the *Municipal Government Act* (MGA).
- Sturgeon County hosted two (2) information sessions on May 3, 2018 to provide information to the public about cannabis legalization, and to learn the public’s opinions on the subject. This included receiving input

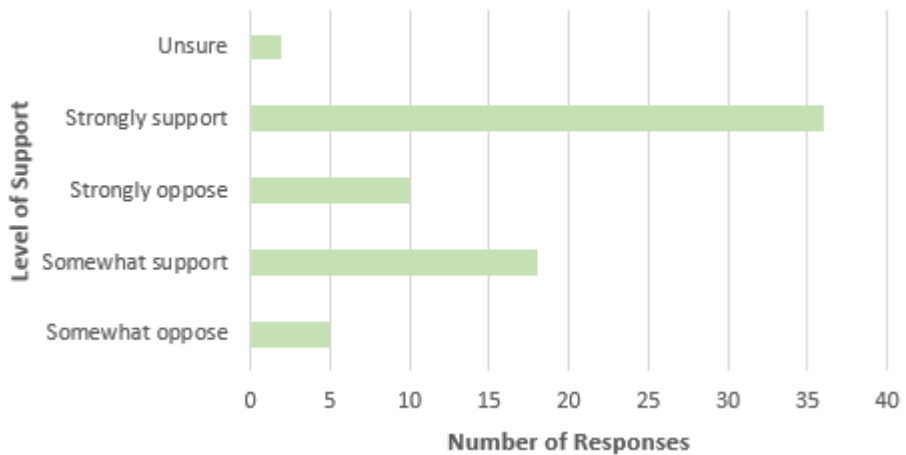
on adding the definitions of cannabis, cannabis retail sale and cannabis production and distribution into the definition section of the LUB.

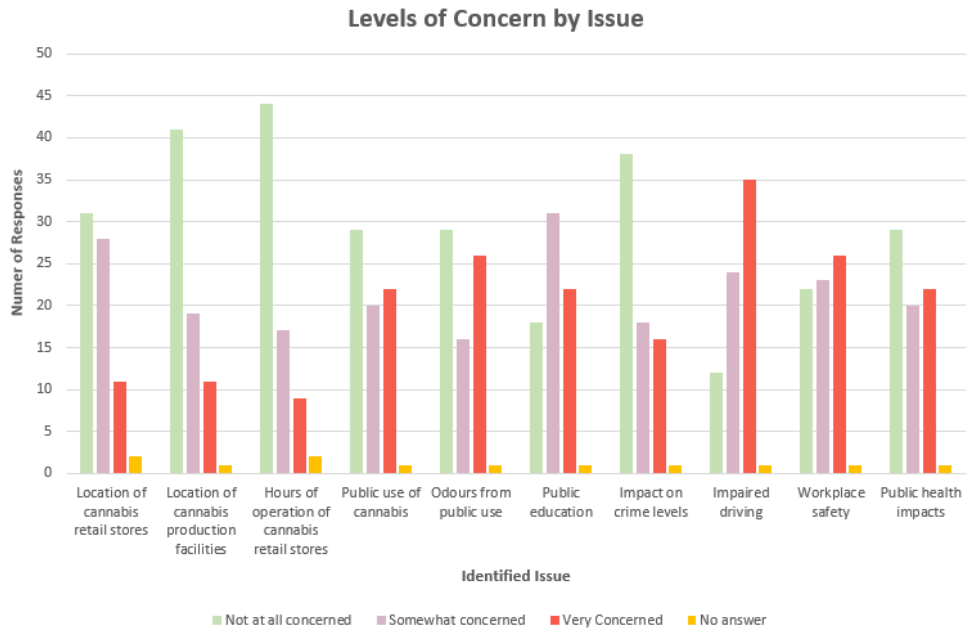
- The County commenced a survey on April 20, 2018 and it closed on May 18, 2018 with respect to cannabis legalization. The survey included questions on cannabis production, processing and distribution facilities, cannabis retail stores and potential separation distances with other land uses, among other questions on legalization.
- 71 survey responses were acquired during the time this survey was open to the public. Preliminary survey results are visualized and summarized below.

How old are you?



Do you support legalization of cannabis?





Main areas of concern for survey takers were identified as:

- 1) Impaired driving,
- 2) Odours from public use,
- 3) Workplace safety,
- 4) Public use,
- 5) Public education, and
- 6) Public health impacts.

Relevant Policy/Legislation/Practices:

Federal:

Bill C-45 – *Cannabis Act*

Provincial:

Bill 26 – *An Act to Control and Regulate Cannabis*

Alberta Cannabis Framework

Gaming, Liquor and Cannabis Regulation



Implication

Strategic Alignment:

Focus Area: Strong Local Governance and Regional Leadership

Goal 1.1 – Sturgeon County provides efficient and effective leadership and management

Strategy 1.1.4 – Citizens are engaged as active participants in municipal governance; representing the broader community

	<p>Focus Area: Planned Growth and Prosperity Goal 2.1 – Sturgeon County has a positive business environment that supports a strong economic foundation</p> <p>Strategy 2.1.2 – Pursue and respond to targeted sectors i.e. value-added agriculture, advanced energy, manufacturing, and logistics</p> <p>Focus Area: Maintain and Enhance Strong Communities Goal 3.1 – Sturgeon County involves and engages the Sturgeon County community</p> <p><u>Organizational:</u> Administration will coordinate the necessary requirements regarding advertising for the Public Hearing.</p> <p><u>Financial:</u> If additional notification of the Public Hearing is required, there will be a financial cost associated with it.</p>
<p>Follow Up Action</p>	<ol style="list-style-type: none"> Administration will address any relevant concerns raised at the Public Hearing. Administration will bring this item back to Council soon for consideration of second reading and third.
<p>Attachment (s)</p>	<ol style="list-style-type: none"> Bylaw 1405/18 Land Use Bylaw Amendment
<p>Report Reviewed by:</p>	 <p>Arjen de Klerk, Acting Manager, Current Planning & Development</p>  <p>Collin Steffes, General Manager, Integrated Growth & Acting County Commissioner – CAO</p>