

## Request for Decision




<b>Title</b>	<b>Bylaw 1405/18 - To Amend Land Use Bylaw 1385/17 to Add Cannabis Definitions (First Reading)</b>
<b>Proposed Motion</b>	That Council give first reading to Bylaw 1405/18, to amend Land Use Bylaw 1385/17 to add Cannabis definitions.
<b>Administrative Recommendation</b>	Administration supports first reading in order to have the proposed bylaw vetted through a Public Hearing.
<b>Previous Council Direction</b>	<p><u>March 13, 2018</u></p> <p>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>
<b>Report</b>	<p><u>Background Information</u></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• On March 13, 2018, Council accepted a report on the legalization of cannabis and directed Administration to bring forward amendments to add the definitions of cannabis, cannabis retail sales and cannabis production and distribution.</li> </ul>

- Based on the AUMA report, the County is proposing a two-step process to address cannabis within the Land Use Bylaw (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.
- Prior to the Public Hearing, newspaper ads will be 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 with regard to 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.

	<ul style="list-style-type: none"> <li>The County commenced a survey on April 20, 2018 with respect to cannabis legalization that 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.</li> </ul> <p><u>Relevant Policy/Legislation/Practices:</u></p> <p>Federal: Bill C-45 – <i>Cannabis Act</i></p> <p>Provincial: Bill 26 – <i>An Act to Control and Regulate Cannabis</i> Alberta Cannabis Framework Gaming, Liquor, and Cannabis Regulation</p>
<p><b>Implication of Administrative Recommendation</b></p>	<p><u>Strategic Alignment:</u></p> <p><b>Focus Area: Strong Local Governance and Regional Leadership</b> 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> <p><b>Focus Area: Planned Growth and Prosperity</b> Goal 2.1 – Sturgeon County has a positive business environment that supports a strong economic foundation Strategy 2.1.2 – Pursue and respond to targeted sectors i.e. value-added agriculture, advanced energy, manufacturing, and logistics</p> <p><b>Focus Area: Maintain and Enhance Strong Communities</b> 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><b>Alternatives Considered</b></p>	<ol style="list-style-type: none"> <li>Council can refer the bylaw back to Administration for more information, prior to considering first reading of the bylaw.</li> <li>Council can refuse to grant first reading of the bylaw, which would result in the County not proceeding with LUB amendments in relation to cannabis-related use definitions.</li> </ol>

<p><b>Implications of Alternatives</b></p>	<p><u>Strategic Alignment:</u></p> <ul style="list-style-type: none"> <li>Alternative 1: Administration believes that there is sufficient information for Council to approve first reading of the bylaw, thereby advancing to a Public Hearing to gather public input on the proposed amendment. This also provides the public the opportunity to state any concerns or voice support for the amendment.</li> <li>Alternative 2: If Council refused to grant first reading, the proposal would be defeated and would not proceed to Public Hearing or further readings.</li> </ul> <p><u>Organizational:</u></p> <ul style="list-style-type: none"> <li>Alternative 1: Administration will work with Council to determine what further investigation is needed.</li> <li>Alternative 2: Administration will close the amendment file and will work within the regulations and uses of the existing LUB.</li> </ul> <p><u>Financial:</u></p> <ul style="list-style-type: none"> <li>Alternative 1: This will require additional staff time, which will have a limited financial implication.</li> <li>Alternative 2: Administration will close the amendment file.</li> </ul>
<p><b>Follow up Action</b></p>	<p>1. Administration will coordinate the scheduling and advertising of the Public Hearing.</p>
<p><b>Attachment(s)</b></p>	<p>1. Proposed Bylaw 1405/18 2. AUMA Report</p>
<p><b>Report Reviewed by:</b></p>	<p> Colin Krywiak, Acting Manager Planning &amp; Development</p> <p> Collin Steffes, General Manager, Integrated Growth</p> <p> Bill Minnes, County Commissioner – CAO</p>

## Strategic Alignment Checklist

**Vision:** Sturgeon County: a diverse, active community that pioneers opportunities and promotes initiative while embracing rural lifestyles.

**Mission:** Provide quality, cost effective services and infrastructure to meet the diverse needs of the Sturgeon County community, while improving competitiveness and sustainability.

Focus Areas	Not consistent	N/A	Consistent
<b>Strong Local Governance and Regional Leadership</b>			
<i>We promote consistent and accountable leadership through collaborative and transparent processes (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Consistent with neighborhood role (see MDP), master plans, policies</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Considers fiscal stability and sustainability</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Has a positive impact on regional and sub-regional cooperation</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Respect the Natural Environment</b>			
<i>We acknowledge the importance of a healthy environment and will minimize and monitor our impact on ecosystems (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Compliance with Provincial and Federal regulations and/or legislation</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Ensure effective environmental risk management</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Community Identity &amp; Spirit</b>			
<i>We will build upon our strengths, where together we will create an inclusive, caring community Strategic Plan, (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Promotes and/or enhances residents' identification with Sturgeon County</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Enhances service provision through community partnerships</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Supports Sturgeon County's cultural history</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Planned Growth and Prosperity</b>			
<i>We encourage varied and integrated enterprises that enhance our strong economic base, while balancing the needs of the community and natural environment. (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Does the proposal align with the Integrated Regional Growth Strategy (map/policies) pg. 26 MDP</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Considers cumulative costs and long-term funding implications</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Targets growth around current or planned infrastructure</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Maintain and Enhance Strong Communities</b>			
<i>We are committed to a safe, secure community, where our residents are respected and provided with access to opportunities. (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Positive impact on residents' quality of life</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Supports and promotes volunteer efforts</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Provides programs and services that are accessible to all residents</i></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Operational Excellence</b>			
<i>We have the organizational capability to deliver consistent and defined levels of service to all stakeholders in a professional, efficient, and cost effective manner</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Staff have the knowledge, skills and capability to perform their jobs</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Streamlines operational processes and policies</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Promotes engagement and professional interaction with stakeholders</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li><i>Considers a cost-structure which allows Sturgeon County to remain competitive within a regional, national and global context</i></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>