

Request for Decision

	<p>Title Bylaw 1405/18 - To Amend Land Use Bylaw 1385/17 to Add Cannabis Definitions</p>
<p>Proposed Motion</p>	<ol style="list-style-type: none"> 1. That Council give second reading to Bylaw 1405/18. 2. That Council give third reading to Bylaw 1405/18.
<p>Administrative Recommendation</p>	<p>Administration supports second and third reading of the amendments as proposed as they are largely proactive and administrative, and relatively uncontroversial. These amendments will give the County a safe level of assurance that cannabis-related uses will occur in a controlled manner.</p>
<p>Previous Council Direction</p>	<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>
<p>Report</p>	<p><u>Background Information</u></p> <ul style="list-style-type: none"> • On June 12, 2018, Council held a public hearing to provide an opportunity for members of the public to present their comments to Council regarding proposed Bylaw 1405/18. At the hearing, one resident raised a concern about Sturgeon County being closed to cannabis-related business options, given the fact that these amendments restrict cannabis-related development. Administration and Council clarified that Sturgeon County is not closed to cannabis-related business. However, these amendments are intended to prevent unregulated cannabis development from occurring until sufficient analysis has occurred and effective regulations to protect both the safety and prosperity of residents are implemented through a second round of bylaw amendments. Administration also confirmed that these amendments are intended to be Phase 1 of a two-phase Land Use Bylaw update to address cannabis-related development applications. Phase 2 of this process will involve more public discussion on the potential for location and application of cannabis-related applications in Sturgeon County.

- 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. Again, this is Phase 1 of a two-phase amendment process.
- 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.
- 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.

- There have been no changes made to Bylaw 1405/18 since first reading on May 8, 2018.

External Communication

- Sturgeon County attended a discussion at the 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 closed it 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.

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 of Administrative Recommendation

Strategic Alignment:

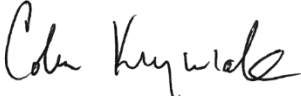


Focus Area: Strong Local Governance and Regional Leadership

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

Focus Area: Planned Growth and Prosperity

Goal 2.1 – Sturgeon County has a positive business environment that supports a strong economic foundation.

	<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</p> <p>Goal 3.1 – Sturgeon County involves and engages the Sturgeon County community.</p> <p><u>Organizational:</u> Administration will coordinate the amendments to the Land Use Bylaw.</p> <p><u>Financial:</u> None.</p>
<p>Alternatives Considered</p>	<p>1. Council can refer the bylaw back to Administration for more information, prior to considering second and third reading of the bylaw.</p>
<p>Implications of Alternatives</p>	<p><u>Strategic Alignment:</u> Administration believes that there is sufficient information for Council to approve second reading of the bylaw.</p> <p><u>Organizational:</u> Additional research will require additional staff resources.</p> <p><u>Financial:</u> This will require additional staff time, which will have a financial implication.</p>
<p>Follow up Action</p>	<p>Administration will ensure that the LUB is amended accordingly or as directed by Council.</p>
<p>Attachment(s)</p>	<p>1. Bylaw 1405/18</p>
<p>Report Reviewed by:</p>	<p> Colin Krywiak, Acting Manager Current Planning & 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
Strong Local Governance and Regional Leadership			
<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"> • <i>Consistent with neighborhood role (see MDP), master plans, policies</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Considers fiscal stability and sustainability</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Has a positive impact on regional and sub-regional cooperation</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Respect the Natural Environment			
<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"> • <i>Compliance with Provincial and Federal regulations and/or legislation</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Ensure effective environmental risk management</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community Identity & Spirit			
<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"> • <i>Promotes and/or enhances residents' identification with Sturgeon County</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Enhances service provision through community partnerships</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Supports Sturgeon County's cultural history</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Planned Growth and Prosperity			
<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"> • <i>Does the proposal align with the Integrated Regional Growth Strategy (map/policies) pg. 26 MDP</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Considers cumulative costs and long-term funding implications</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Targets growth around current or planned infrastructure</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maintain and Enhance Strong Communities			
<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"> • <i>Positive impact on residents' quality of life</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Supports and promotes volunteer efforts</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • <i>Provides programs and services that are accessible to all residents</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Operational Excellence			
<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"> • <i>Staff have the knowledge, skills and capability to perform their jobs</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Streamlines operational processes and policies</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Promotes engagement and professional interaction with stakeholders</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> • <i>Considers a cost-structure which allows Sturgeon County to remain competitive within a regional, national and global context</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>