

## Briefing Note

<b>Title</b>	<b>1:30 p.m. Public Hearing – Pure Selections Bylaw 1414/18 – Amend Land Use Bylaw 1385/17</b>
<b>Issue</b>	To provide an opportunity for members of the public to present their comments to Council regarding proposed Bylaw 1414/18.
<b>Previous Council Direction</b>	October 23, 2018 – Motion 311/18: That Council give first reading of Bylaw 1414/18.
<b>Report</b>	<p><u>Background Information</u></p> <ul style="list-style-type: none"> <li>In September 2015, Pure Selections sent a letter to the Mayor, advising that they were in the process of obtaining a Health Canada License to become a medical marijuana producer (i.e. growing). It should be noted that the legal description that the applicant provided the County at that time was for a different property.</li> <li>In September 2016, Pure Selections sent another letter requesting the County to allow them to proceed in the Agricultural District due to the resources they already expended going through Health Canada's approval process.</li> <li>On July 10, 2017, Council approved Land Use Bylaw 1385/17 (came into effect on September 8, 2017) that allows for a <i>Medical Marijuana Production Facility</i> in the County's Medium and Heavy Industrial Districts. <ul style="list-style-type: none"> <li>Medical marijuana production facility means a use where a federally licensed facility is used for cultivation, processing, testing, destruction, packaging or shipping of marijuana used for medical purposes as permitted under the Federal Government's regulations or any subsequent legislation which may be enacted in substitution.</li> </ul> </li> <li>On October 10, 2017, Putnam &amp; Lawson on behalf of Pure Selections applied to amend the Land Use Bylaw (LUB) to rezone Lot 1; Block 2; Plan 0626750 to a new Direct Control District. In this submission, they advised that they will no longer be producing (growing) onsite, that they will only be processing, distributing, and operating a sales centre (no onsite sales).</li> </ul>

- On January 9, 2018, Pure Selections made a presentation to Council regarding the proposed amendment, and an overview of their proposed business.
  - Most of the comments and concerns that were raised surrounded security and traffic impacts.
- Throughout February to April, Administration worked with the applicant to draft a new Direct Control District.
- On March 13, 2018, Council directed Administration to initiate the process to amend the Land Use Bylaw to add definitions in anticipation of the legalization of recreational cannabis. Administration recommended to Council to take a two-step approach.
  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.
- In April, Administration advised the applicant on the work and public engagement that the County was undertaking regarding cannabis. Administration further advised the applicant that it might be in their interest to hold off on their application to see if the County's changes to the Land Use Bylaw with respect to Cannabis would benefit them or not.
- Direct Control districts are intended to be used to identify a unique land use district that is not otherwise identified in the Land Use Bylaw and could be used to achieve the same result. A "Medical marijuana production facility" is currently allowed in several of the County's Industrial Districts, and this use includes packaging and shipping.
  - *"Medical marijuana production facility means a use where a federally licensed facility is used for cultivation, processing, testing, destruction, packaging or shipping of marijuana used for medical purposes as permitted under the Federal Government's regulations or any subsequent legislation which may be enacted in substitution."*

	<p><u>External Communication</u></p> <ul style="list-style-type: none"> <li>Landowners within 800 m of the subject lands were notified by mail of the hearing. In addition, newspaper ads will be placed for two consecutive weeks in the <i>Free Press</i>, as required by the <i>Municipal Government Act</i>.</li> </ul> <p><u>Relevant Policy/Legislation/Practices:</u></p> <ul style="list-style-type: none"> <li>The <i>Municipal Government Act</i>, RSA 2000 c. M-26 (MGA) and amendments thereto, authorizes Council to establish and amend Bylaws.</li> <li>Provision 692 of the MGA requires that a municipality hold a public hearing prior to giving second reading to a proposed bylaw.</li> <li>Section 641 of the <i>Municipal Government Act</i> provides direction on how a Municipality can establish a Direct Control district in order to exercise control over the use and development of land or buildings on a designated site within the municipality. <ul style="list-style-type: none"> <li>Direct Controls can either define an approval authority as Council or an administrative development authority defined by the municipality.</li> </ul> </li> <li>Municipal Development Plan 1313/13 <ul style="list-style-type: none"> <li>1.1 Implementing Strategic Decision Making</li> <li>5.2 Promoting an Integrated Economy</li> <li>5.4 Implementing Responsible Non-Residential Subdivision and Development Practices</li> <li>B4 Economic Health Output Actions</li> <li>B5 Infrastructure Output Actions</li> </ul> </li> </ul>
<b>Implication</b>	<p><u>Strategic Alignment:</u></p> <ul style="list-style-type: none"> <li><b>Efficient and effective leadership and management</b> –Citizens are engaged as active participants in municipal governance; representing the broader community.</li> </ul> <p><u>Organizational:</u></p> <ul style="list-style-type: none"> <li>Administration will record and analyze inputs received during the Public Hearing for further consideration by Council.</li> </ul> <p><u>Financial:</u></p> <ul style="list-style-type: none"> <li>None.</li> </ul>
<b>Follow Up Action</b>	<ol style="list-style-type: none"> <li>Administration will work with the applicant to address any relevant concerns raised at the Public Hearing in advance of second reading.</li> </ol>

	2. Administration will bring this item back to Council for consideration of second reading.
<b>Attachment (s)</b>	1. Public Hearing Information Insert 2. Bylaw 1414/18 3. Bylaw 1414/18 – Schedule “A” 4. Location Map
<b>Report Reviewed by:</b>	<div>   Colin Krywiak, Manager Current Planning &amp; Development </div> <div>   Collin Steffes, General Manager of Integrated Growth </div> <div>   Reegan McCullough, County Commissioner – CAO </div>