

SMOKY LAKE COUNTY

Minutes of the **County Council Committee of the Whole Meeting for the purpose of Planning** held on Friday, **July 27, 2018** at 10:25 A.M. in in County Council Chambers.

The meeting was called to Order by the Reeve Mr. Craig Lukinuk, in the presence of the following persons:

		<u>ATTENDANCE</u>
		<u>Friday, July 27, 2018</u>
<u>Div. No.</u>	<u>Councillor(s)</u>	
1	Dan Gawalko	Present
2	Johnny Cherniwchan	Absent
3	Craig Lukinuk	Present
4	Lorne Halisky	Present
5	Randy Orichowski	Present
CAO	Cory Ollikka	Present
Asst. CAO	Lydia Cielin	Present
Finance Manager	Brenda Adamson	Present
Public Works Mgr.	Doug Ponich	Absent
GIS/Communication	Paul Miranda	Absent
Plan/Dev Manager	Jordan Ruegg	Present
Legislative Svcs/R.S.	Patti Priest	Absent

No Members of the Media.

One Member of the Public entered Council Chambers at 11:00 a.m.

Municipal Planning Services Ltd. representatives: Jane Dauphinee, Senior Planner and Kyle Miller, Planner were present.

2. Agenda:

Agenda

775-18: Orichowski

That the Agenda for Friday, July 27, 2018 Smoky Lake County Council Committee of the Whole Meeting for the purpose of Planning be adopted, as amended:

Addition:

1. Sow Thistle along Highway 28.

Carried Unanimously.

3. Minutes:

No Minutes.

7. Delegation:

Municipal Planning Services Ltd

Present before County Council from 10:27 a.m. to 2:35 p.m. was Jane Dauphinee, Senior Planner and Kyle Miller, Planner, from Municipal Planning Services Ltd., to provide information in regard to the Land Use Bylaw: Cannabis Regulation and Land Use Bylaw No. 1272-14 – General Amendments as follows:



PRESENTATION OVERVIEW

- Municipal Government Act Updates
- Cannabis Framework
- Recreational Vehicles
- Modular & Manufactured Homes
- Subdivisions

MUNICIPAL GOVERNMENT ACT UPDATES

- Municipal Government Amendment Act (2015)
- Modernized Municipal Government Act (2016)
- An Act to Strengthen the Municipal Government Act (2017)



MUNICIPAL GOVERNMENT ACT UPDATES

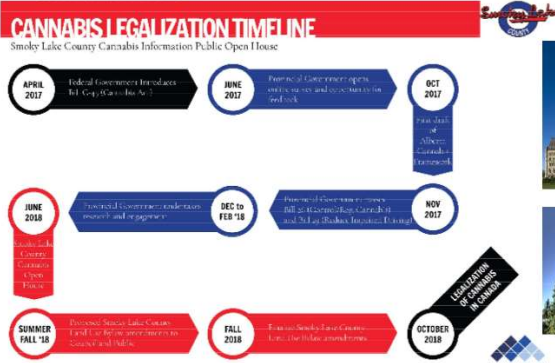
1. Process amendments:
 - Deemed complete date for subdivision applications and development permit applications;
 - Extended appeal periods for subdivision and development decisions;
 - Requirement to maintain a list of any documents or policies that are intended to guide planning decisions.
2. Emphasis on regional planning and inter-municipal co-operation.
3. Indigenous consultation requirement when preparing plans.

CANNABIS ROLES AND RESPONSIBILITIES

Activity	Federal	Provincial	Municipal	Activity	Federal	Provincial	Municipal
POSSESSION LIMITS	✓	✗	✗	HOME CULTIVATION	✓	✗	✗
TRAFFICKING	✓	✗	✗	WORKPLACE SAFETY	✗	✓	✗
ADVERTISEMENT/PACKAGING	✓	✗	✗	DISTRIBUTION/WHOLESALING	✗	✓	✗
IMPAIRED DRIVING	✓	✓	✗	RETAIL MODEL	✗	✓	✗
MEDICAL CANNABIS	✓	✗	✗	REGULATORY COMPLIANCE	✗	✓	✗
SEED-TO-SALE TRACKING SYSTEM	✓	✗	✗	PUBLIC CONSUMPTION*	✗	✓	✓
PRODUCTION (CULTIVATION/PROCESSING)	✓	✗	✗	LAND USE AND ZONING	✗	✗	✓
AGE LIMIT (FEDERAL MINIMUM)*	✓	✗	✗	RETAIL LOCATION AND RULES*	✗	✓	✓
PUBLIC HEALTH	✓	✓	✗				
EDUCATION	✓	✓	✓				
TAXATION	✓	✓	✓				

*Provinces will have the ability to strengthen legislation for these areas under federal jurisdiction.
*Municipalities have the ability to strengthen legislation for these areas under provincial jurisdiction.

CANNABIS TIMELINE





CANNABIS ROLES AND RESPONSIBILITIES

Federal Government

- The Government of Canada is responsible regulating and licensing cannabis production, sale, possession, and medical cannabis.
- The Government of Canada is responsible for types of cannabis products sold, how cannabis products can be packaged and labelled, and the serving sizes and strength of cannabis products.
- Bill C-45 (Cannabis Act) regulates cannabis and sets the standards for:
 - Production and Distribution
 - Health and Safety
 - Illegal/Criminal Actions
- See canada.ca/en/services/health/campaigns/cannabis for more information



CANNABIS ROLES AND RESPONSIBILITIES

Alberta Government

- Options for purchasing recreational cannabis after October 17, 2018:
 - Privately run retail stores
 - AGLC-operated online sales
- Retail stores are subject to the terms of AGLC licensing.
- AGLC began accepting applications for retail licenses in March 2018. (Smoky Lake County will play a role in establishing retail locations)
- Online sales and home delivery will be operated by AGLC. (Province wants to control age verification for sale/delivery)
- Cannabis cafes and lounges will not be permitted at this time, provincial legislation allows for this to be regulated at a later date.



CANNABIS ROLES AND RESPONSIBILITIES

Smoky Lake County

- The federal and provincial governments have determined the roles and responsibilities of municipalities in cannabis legalization.
- Municipalities still require more details/clarification from the federal and provincial governments on:
 - Public health and education
 - Law enforcement
 - Taxation revenue distribution
 - Facility access
- Smoky Lake County may need to create or change various services, policies, and bylaws to accommodate legalization.
- Sharing information will be an important part of this process, including community dialogue.



CANNABIS WHAT IS LEGAL AFTER OCTOBER

Federal Government

- Adults who are 18 years of age or older will be able to legally:
- purchase limited amounts of fresh cannabis, dried cannabis, cannabis oil, cannabis seeds, or cannabis plants from retailers authorized by the provinces and territories;
 - possess up to 30 grams of dried legal cannabis in public;
 - consume cannabis in locations authorized by local jurisdictions;
 - grow up to four cannabis plants per household (not per person) for personal use, from licensed seeds or seedlings from licensed suppliers;
 - share up to 30 grams of dried cannabis or equivalent with other adults;
 - make legal cannabis-containing products at home, such as food and drinks, provided that dangerous organic solvents are not used in making them.



CANNABIS COMMUNITY CONSULTATION

Smoky Lake County

CANNABIS PRODUCTION

- The industrial production of Cannabis for distribution to licensed retail stores
- Lawful home cultivation for individual use, though renters, condo-dwellers and those who live in multi-family dwellings may be restricted from growing cannabis in their homes based on rules established in rental agreements or condominium bylaws.

CANNABIS RETAIL SALES

- The sale of cannabis & related products to consumers under Alberta/AGLC licensing.
- Potential sales locations based on setbacks established by Province/County.

CANNABIS CONSUMPTION

- How and where cannabis can be consumed in Smoky Lake County.



CANNABIS PRODUCTION

- Industrial Production (for licensed distribution to retail stores)
- Home Production (4 plants per residence)
- Potential Smoky Lake County Regulations
 - Define "Licensed Cannabis Production and Distribution"
 - Add to "Industrial Use" Definition



CANNABIS RETAIL SALES

- Physical stores and online sales
- Alberta/AGLC licensing for physical retail sales stores and requirements for operations/employees
- Purchasers must be 18+
- Potential County of Smoky Lake Regulations
 - Define Cannabis Retail Sales
 - Expand Provincial setbacks to also include parks, playgrounds, and recreation facilities
 - Setback options shown on maps



Councillor Lorne Halisky left Council Chambers, time 1:30 p.m. to attend another County Business: Conference Call.

CANNABIS CONSUMPTION

- Control of where cannabis can be consumed will be a shared responsibility between the Province and municipalities.
- Alberta has opted to regulate recreational cannabis consumption similar to tobacco.
- Potential Smoky Lake County Regulations
 - Establish a smoking bylaw or nuisance bylaw to address consumption
 - County actions must consider capacity for enforcement



THE PROPERTY OF ANY HOSPITAL, SCHOOL, OR CHILD CARE FACILITY

WITHIN A CANNABIS RETAIL OUTLET

IN OR WITHIN A PRESCRIBED DISTANCE FROM PLAYGROUNDS, SPORT FIELDS, BASKETBALL COURTS, JOZES, OUTDOOR THEATRES, PONDS

IN OR WITHIN A PRESCRIBED DISTANCE FROM A MOTOR VEHICLE EXCEPT FOR A PARKED BY SIDE AS A TEMPORARY RESIDENCE

CANNABIS & HEMP LAND USE DISTRICTS

USE	AG	A1	C1	C2	M1	M2	DC
HEMP CULTIVATION	Yes (ext. ag)				Yes (ext. ag)	Maybe (1 km setback from schools and public uses)	
INDUSTRIAL HEMP PRODUCTION (INDOOR)	Yes				Yes (industrial)		
CANNABIS PRODUCTION AND DISTRIBUTION					Yes (industrial)		
CANNABIS RETAIL SALES			Yes (Discretionary)	Yes (Discretionary)			

CANNABIS & HEMP AMMENDMENTS

LUB amendments

- Update definitions and insert new hemp and cannabis definitions
- Prepare special provisions for:
 - Cannabis retail sales;
 - Hemp production and distribution; and
 - Cannabis production and distribution
- Insert new cannabis and hemp uses into the LUB districts
- **Public Consultation?**
- **Smoking or public places bylaw?**

RECREATIONAL VEHICLES

Current LUB Regulations

1. The year round placement of 2 (two) recreational vehicles on a parcel in Multi-lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential (R3) or Hamlet General (HG) Districts is allowed without a development permit.
2. **Additional recreational vehicles shall be permitted within the Multi-lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential (R3) or Hamlet General (HG) Districts for a maximum of four (4) consecutive days.**
3. No recreational vehicle shall be permanently connected to any utility or municipal service, such as power, gas, water supply, or sanitary sewage disposal facilities unless the recreational vehicle is located in an approved recreational vehicle park.
4. This section does not apply to the placement of recreational vehicles in the Agriculture District (AG), Victoria Agriculture District (A1), Highway Commercial District (C1), Victoria Commercial District (C2), Industrial District (M1), Rural Industrial District (M2), Institutional & Community District (P), Direct Control District (DC), and Direct Control Landfill District (DC1).

RECREATIONAL VEHICLES

Issues with LUB Regulations

- There is no timeframe specified for how long an additional recreational vehicle within the Multi-lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential (R3) or Hamlet General (HG) Districts must be removed from the site for.
 - **May wish to allow additional RVs to be located on a site for 30 calendar days each year.**
 - This may still be difficult to enforce, however, it can be enforced.
- Confusion about the number of RVs allowed on an parcels outside of the main residential districts. This is causing nuisances for residents within the Agricultural District and Victoria Agriculture District.
 - **MPS recommends restricting the number of RVs on an agricultural parcel to 3 with no development permit**
 - **May wish to allow for additional RVs with a permit or for up to but not exceeding 30 calendar days (for family reunions, etc.)**
 - **MPS has always interpreted the max # of RVs allowed on an ag parcel to be 3. Anything over 3 would be an RV campground and require a permit.**
- Other issues residents have contacted Council about???

MODULAR & MOBILE HOMES

Current LUB Regulations



"Modular home" means a dwelling conforming to national and provincial certified standards in place at the time of manufacture, that is designed to be transported to the building site in a single piece or in pieces and assembled on-site on top of a site-constructed basement or foundation but does not include a dwelling that would be considered to be a manufactured home, a recreational travel trailer, a recreational vehicle or a park model unit;

"Manufactured home – single family" means a single detached dwelling comprised of one or more large factory-built sections that is designed and manufactured to be moved from one point to another by **being towed or carried on its own wheels or by other means**, and upon arriving at the site for location is, apart from incidental operations such as placement of foundation supports and connections of utilities, ready for year round use as dwelling accommodation for one or more persons. A manufactured home must be manufactured and maintained in full compliance with applicable national and provincial regulations;

MODULAR & MANUFACTURE HOMES

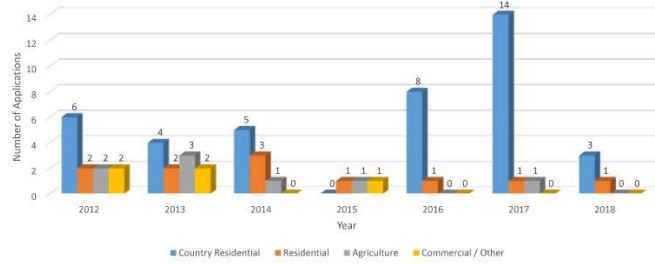
Current LUB Regulations

- Modular and manufactured homes are **permitted uses** within the Agriculture and Victoria Agriculture Districts.
- Modular and manufactured homes are **discretionary uses** in the County's Multi-lot Country Residential (R1) District allows residents additional development opportunities.
- LUB amendment options:
 - Include modular homes as a permitted use in all residential districts
 - Insert a new "R4 District" that lists manufactured homes as a permitted use



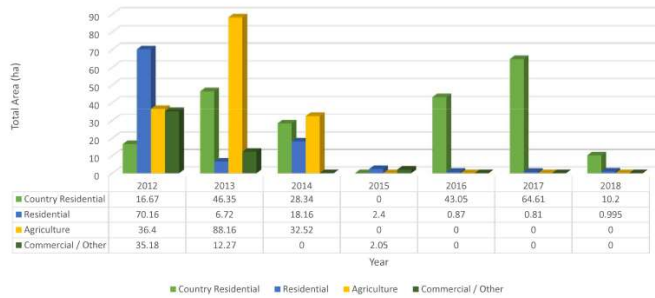
SUBDIVISION STATISTICS

SMOKY LAKE COUNTY SUBDIVISIONS BY LAND USE



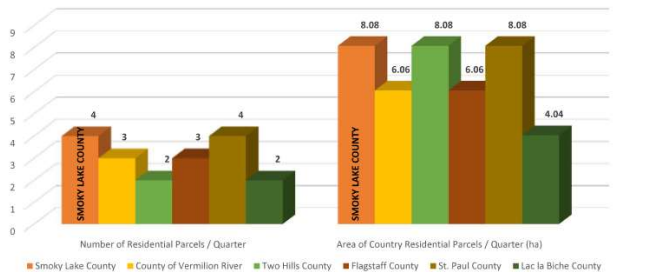
SUBDIVISION STATISTICS

SMOKY LAKE COUNTY SUBDIVISIONS BY AREA



SUBDIVISION COMPARISON

SUBDIVISION REGULATIONS BY COUNTY





Addition to the Agenda:

Highway 28 – Sow Thistle

Council discussed concerns in regard to weed control on provincial highways; specifically, the sow thistle along Highway 28; and, informally requested that Administration contact Alberta Transportation to inquire on the status of highway roadside mowing within Smoky Lake County.

ADJOURNMENT

776-18: Gawalko

That the Smoky Lake County Council Committee of the Whole Meeting for the purpose of Planning be adjourned, time 2:40 p.m.

Carried.

REEVE

S E A L

CHIEF ADMINISTRATIVE OFFICER