

**Subject: Bylaw No. 19/006 - Amendment to the Land Use Bylaw 99/059: General Regulations and Definitions Related to Separation Distance for Cannabis Retail Stores**

**APPROVALS:**

**Annette Antoniak**

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Director

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Chief Administrative Officer

**Recommended Motion:**

1. THAT Bylaw No. 19/006, being an amendment to the Land Use Bylaw specific to Cannabis separation distances, be read a first time.
2. THAT the required public hearing for Bylaw No. 19/006 be scheduled to occur on March 26, 2019.

**Summary:**

On February 12, 2019 Council passed the following motion:

“THAT Administration bring forward to Council, at the next Council meeting, an amendment to allow a separation distance, in the Urban Service Area, of 100 meters and amend the definition of separation distance so that the measurement is from the property line of the sensitive use to the door of the proposed cannabis retail store.”

This report introduces Bylaw No. 19/006 for first reading, which proposes to change the minimum separation distance and its associated definitions.

**Background:**

On July 9, 2018, Council approved bylaws for regulating cannabis sales, production and consumption in the region. One of the bylaw amendments that was approved was an amendment to the Land Use Bylaw that identified zones (Mixed Use, Commercial and Industrial) where cannabis retail stores could be approved. The Land Use Bylaw amendment also set out a separation distance of 150 meters in the Urban Service Area between Cannabis Retail Stores and other sensitive/incompatible uses such as Schools, Hospitals, Child Care Facilities and Alcohol and Drug Rehabilitation Centers.

In the Rural Service Area and Hamlets, a separation distance of 100 meters from Schools and Parks was approved.

The definition of “separation distance” was also approved, which stated: “the minimum distance between the property lines of two properties as defined on the plan of subdivision registered with land titles office of Alberta.”

To help visualize the impact of reducing the separation distance in the Urban Service Area, maps have been prepared that identify 100 meter and 150 meter setbacks from sensitive uses including Schools, Hospitals, Child Care Facilities and Alcohol and Drug Rehabilitation Centers. Maps in Attachments 1 to 4 illustrate a 100 meter separation distance identified with an orange line and 150 meter separation distance identified with a red line.

If approved, this motion of Council will allow for Cannabis Retail Stores immediately outside of the orange line identified on the maps in Attachments 1 to 4. As a result, several commercial developments immediately opposite Schools and Child Care Facilities will become eligible for Cannabis Retail Stores.

The current statistics for Cannabis Retail Store permit approvals in the region are available in Attachment 5 and the location of approved Cannabis Retail Stores is available in Attachment 6.

**Budget/Financial Implications:**

It is not anticipated that costs associated with processing new permits would result in increased expenses for the department as the process to assess applications is already established. Conversely, the revenues associated with the processing of permits is also not expected to be significant. The current staff compliment will be able to manage the compliance and enforcement aspect as it relates to cannabis uses and cannabis consumption.

**Rationale for Recommendation:**

The proposed Land Use Bylaw amendment is intended to address Council’s motion of February 12, 2019 that directed Administration to bring forward a bylaw for first reading, to change the minimal separation distance for cannabis retail stores from 150 meters in the Urban Service Area, to 100 meters. The proposed amendment also updates the definition of separation distance in the Urban Service Area so that it is measured from parcel boundary of the sensitive use to the door of the proposed Cannabis Retail Store.

**Strategic Priorities:**

Responsible Government  
Downtown Revitalization  
Regional Economic Development

**Attachments:**

- 1. Maps showing 100 meter separation distance from Schools**
  - 2. Maps showing 100 meter separation distance from Child Care Facilities**
  - 3. Map showing 100 meter separation distance from Hospital**
  - 4. Map showing 100 meter separation distance from Alcohol and Drug Rehabilitation Center**
  - 5. Status of Cannabis Retail Stores**
  - 6. Map showing location of approved Cannabis Retail Stores**
  - 7. Bylaw 19/006 - Land Use Bylaw Amendment**
- PowerPoint - Cannabis Bylaws in the Regional Municipality of Wood Buffalo**