

**BYLAW 19-023
OF
LAC LA BICHE COUNTY**

A BYLAW OF LAC LA BICHE COUNTY IN THE PROVINCE OF ALBERTA TO AMEND BYLAW 17-004, BEING THE LAND USE BYLAW OF LAC LA BICHE COUNTY.

WHEREAS Council has adopted Bylaw 17-004 to be used as the Lac La Biche County Land Use Bylaw; and

WHEREAS it is deemed expedient to amend Bylaw 17-004 as set out in Section 692 of the *Municipal Government Act*, R.S.A. 2000, Chapter M 26, as amended;

NOW THEREFORE under the authority and subject to the provisions of the *Municipal Government Act*, and by virtue of all other powers enabling it, the Council of Lac La Biche County, duly assembled, enacts as follows:

1. That Section C2.32 CANNABIS PRODUCTION & DISTRIBUTION be added as per Schedule A of this Bylaw.
2. That Cannabis Production & Distribution, Standard be added as a discretionary use within Section B2.1, Agricultural District (AG).
3. That Cannabis Production & Distribution, Micro be added as discretionary use within Section B2.1, Agricultural District (AG).
4. That Cannabis Production & Distribution, Standard be added as a permitted use within Section B5.1, Light Industrial District (LI), Section B5.2 General Industrial District (GI), and Section B5.3 Heavy Industrial District (HI).
5. That Cannabis Production & Distribution, Micro be added as a permitted use within Section B5.1, Light Industrial District (LI), Section B5.2 General Industrial District (GI), and Section B5.3 Heavy Industrial District (HI).
6. Cannabis Production Facility be deleted from Sections B5.1, Light Industrial District (LI), Section B5.2 General Industrial District (GI), and B5.3 Heavy Industrial District (HI).
7. Medical Marijuana Production Facility to be deleted from Sections B5.1, Light Industrial District (LI), Section B5.2 General Industrial District (GI), and B5.3 Heavy Industrial District (HI).
8. That Section C2.21, Medical Marijuana Production Facilities be removed.

9. That Section E1 Definitions, be amended by adding the following definitions:

CANNABIS PRODUCTION & DISTRIBUTION, STANDARD means:

- a) In the case of a production facility, a cultivation area with a plant canopy area of greater than 200 m² (2,152 ft.²) or as otherwise defined by the federal Cannabis Regulations 2018, as amended or replaced.
- b) In the case of a processing & distribution facility, has an annual processing amount of greater than 600 kilograms, or as otherwise defined by the federal Cannabis Regulations 2018, as amended or replaced.

CANNABIS PRODUCTION & DISTRIBUTION, MICRO means:

- a) In the case of a production facility, a cultivation area with a plant canopy area of less than 200 m² (2,152 ft.²) or as otherwise defined by the federal Cannabis Regulations 2018, as amended or replaced.
- b) In the case of a processing & distribution facility, has an annual processing amount of less than 600 kilograms, or as otherwise defined by the federal Cannabis Regulations 2018, as amended or replaced.

10. That Section E1 Definitions, be amended by removing the following definition:

CANNABIS PRODUCTION FACILITY means a use where recreational cannabis is cultivated, processed, packaged, tested, destroyed, stored or loaded for shipping; where a licence for all activities associated with a cannabis production is issued by the Alberta Liquor and Cannabis Commission.

11. That Section E1 Definitions, be amended to read as follows:

AGRICULTURE, EXTENSIVE means those agricultural operations producing crops or livestock which require tracts of lands generally greater than 80.0 ac (32.0 ha) in size, but does not include cannabis production & distribution, standard or micro.

GREENHOUSE/ PLANT NURSERY means commercial development for the growing, acclimating, propagating, harvesting, displaying, and selling of fruits, vegetables, bedding, household, and ornamental plants and may include accessory uses related to the storing, displaying, and selling of gardening, nursey, and related products, but does not include cannabis production & distribution, standard or micro.

AGRICULTURE, INTENSIVE means development for the confinement of livestock that, because of size, density, length of confinement, or product may have an adverse impact on nearby use. An intensive agriculture use is one that does not exceed the minimum size for a confined feeding operation, as defined in the Agriculture Operations, part 2 Matters Regulation (or successor regulations), and therefore does not require

Natural Resource Conservation Board approval. Alternatively, it may be an indoor facility that exceeds the prescribed size limits, but through special management and technology will reduce the level of impact to less than that of the minimum size for confined feeding operation. This use includes the raising of fur-bearing animals, pheasants, or fish, the production of fruit, vegetables, trees, shrubs, and other specialty horticultural crops, the production of eggs, and the production of honey but does not include cannabis production & distribution, standard or micro.

12. This bylaw shall come into effect upon passing of the third reading.

MOTION BY COUNCILLOR COTE THAT BYLAW 19-023 BE GIVEN FIRST READING THIS 13TH DAY OF AUGUST 2019.

"Original Signed"

Mayor

"Original Signed"

Chief Administrative Officer

MOTION BY DEPUTY MAYOR TKACHUK THAT BYLAW 19-023 BE GIVEN SECOND READING THIS 10TH DAY OF SEPTEMBER, 2019.

MOTION BY COUNCILLOR MORE THAT BYLAW 19-023 BE GIVEN THIRD AND FINAL READING THIS 10TH DAY OF SEPTEMBER, 2019.

"Original Signed"

Mayor

"Original Signed"

Chief Administrative Officer

C2.32 CANNABIS PRODUCTION & DISTRIBUTION

- 1) Cannabis Production, Standard and Micro must be located a minimum of 200.0 meters from the parcel boundary from the following locations:
 - a) a provincial health care facility;
 - b) a school;
 - c) a vacant parcel of land intended for a future school (School Reserve or Municipal Reserve);
 - d) public park;
 - e) recreation facility;
 - f) library;
 - g) a child care facility;
 - h) a private medical clinic;
 - i) a religious assembly; and
 - j) an indoor recreational facility.
- 2) Notwithstanding Section D1.6, Variance Authority, the Development Authority shall not grant a variance to Subsection 1 hereof.
- 3) All production and distribution must be located indoors.
- 4) Shall not be located in the same building as a residential land use.
- 5) In addition to the requirements of Section D1.4, Development Permit Applications, the County will require the following information from an applicant:
 - a) Obtain and demonstrate compliance with all relevant Cannabis Regulations, and other relevant provincial and federal regulations;
 - b) Security plans as per the Cannabis Regulations SOR/2018-144, as amended or replaced;
 - c) Lighting plans;
 - d) Location, dimensions, and surfacing of parcel access and egress; and
 - e) Grading plan demonstrating that the proposed use and site design does not interfere with site grading or drainage onto any road or adjacent parcel.
- 6) Any development shall be designed to mitigate all off-site nuisance factors including excessive noise, odour, traffic, dust, and other impacts to the satisfaction of the Development Authority. A mitigation plan shall be provided at the time of development permit application to demonstrate that these nuisance factors.
- 7) The Development Authority may require the applicant hold a public engagement session.
- 8) Upon Development Permit approval, a Building Permit for a Cannabis Production & Distribution shall not be issued until the applicable provincial license has been submitted to the County by the applicant.
- 9) Parking for Cannabis Production & Distribution shall be identified as follows using Table C3.1 – Parking Requirements:
 - a. Agricultural District – use parking requirements for Abattoir/Agriculture, Intensive.
 - b. In an Industrial District – use parking requirements for Industrial Use/Recycling Facility.