

Request for Decision



To: Regular Meeting
From: **Development and Engineering Services**
Date: July 23, 2018
Subject: Final Reading of Zoning Bylaw Amendment No. 2039-A1
Recommendation: **THAT Council gives final reading to Zoning Bylaw Amendment 2039-A1.**

Background

On June 25, 2018, Council gave third reading to Zoning Bylaw Amendment 2039-A1 and directed staff to obtain Ministry of Transportation and Infrastructure approval. Ministry approval was secured on July 16, 2018. It is therefore appropriate that Council give the Bylaw 4th and final reading.

This zoning bylaw amendment defines overlay zones and locational criteria to regulate cannabis retail sites and production/processing/distribution facilities. It also includes several minor “housekeeping” changes. A summary of these zoning regulations is provided in Appendix “A”.

The bylaw amendment has undergone an extensive Council and public review process which is summarized in Appendix “B”.

Benefits or Impacts

Strategic Impact



Community Engagement

- Conducting community surveys, open houses and promoting activities that engage the public encourages feedback and community participation.



Community Livability

- Establishing regulations and responding to community feedback regarding the location of cannabis businesses increases community livability.



Economic Growth

- Defining where cannabis related businesses are permitted gives guidance and certainty which encourages investment.

Policy/Legislation

Zoning Bylaw No. 2039, the *Local Government Act*, federal/provincial legislation pertaining to cannabis.

Attachments

Zoning Bylaw Amendment 2039-A1

Recommendation

THAT Council gives final reading to Zoning Bylaw Amendment 2039-A1.

Options

1. RESOLVED THAT Council accepts the recommendation.
2. RESOLVED THAT Council does not accept the recommendation.
3. RESOLVED THAT Council refers the matter back to staff for further information.

Appendix “A” – Summary of New Zoning Regulations

1. Cannabis Facilities – Locational Criteria

Cannabis retail sites would be permitted to locate in the Core Commercial and Neighbourhood Commercial zones and in industrial zones. However, they must be located at least:

- a) 100 m from the nearest parcel boundary of a lot in a Community Use Zone;
- b) 100 m from the nearest parcel boundary of a lot with a youth-centred facility; and,
- c) 100 m from the nearest edge of a building of another cannabis retail site.

In addition, the front face of a building and any signage may be no less than 50 m from a controlled highway.

Cannabis production, processing and distribution uses would only be allowed in specific areas within industrial zones. However, they must be located at least:

- a) 100 m from the nearest parcel boundary of a lot in a Community Use Zone;
- b) 100 m from the nearest parcel boundary of a lot in a residential zone; and,
- c) 100 m from the nearest parcel boundary of a lot with a youth-centred facility.

2. Minor Zoning Bylaw Amendments

- a) Clarifying the wording within the Rural Residential (R4 and R4-A) zones with respect to minimum parcel size for subdivision, increasing the minimum size of parcel where both water and sewer exists to 2500 m², adding mobile homes as a permitted type of principal dwelling, and adding that they are subject to the regulations of the Agricultural Land Commission.
- b) Adding a clause which permits mobile homes to be placed on lands zoned R-1 (Single and Two-family) and R-2 (Small Lot Residential) south of the Kettle River in the North Ruckle and South Ruckle neighbourhoods only.
- c) Increasing the maximum height requirement for accessory dwelling units (i.e., garden suites/carriage houses) from 4.8 m to 7.6 m. This will allow a livable accessory dwelling unit (i.e., a carriage house) to be built above a garage or workshop and at the same time ensure that large monolithic structures are avoided. This height increase would not apply to other accessory buildings such as storage sheds and would only apply to the R-1 and R-2 residential zones where accessory dwelling units are permitted.
- d) Increasing the lot coverage for all accessory buildings on a lot in the R-1 (Single and Two-family) and R-2 (Small Lot Residential) zones to “*not more than the lot coverage of the principal use*”. Currently the lot coverage of all accessory buildings (including accessory dwelling units) cannot exceed 50% of the lot coverage of the home. This

increase would provide property owners with more flexibility for siting and building garden suites, workshops, etc.

Appendix “B” – Summary of Planning Process

Date	Activity
February 26, 2018	Cannabis Legalization Critical Path introduced identifying bylaws needed to regulate legalized cannabis.
End of February	Community survey on retail cannabis business.
April 9	Proposed bylaw amendments considered and discussed by Committee of the Whole.
April 23	Zoning bylaw amendment given 1 st and 2 nd reading.
June 6 and 13	Open House and Public Hearing advertised in the Gazette and on the City’s website.
June 11	Council received an update on the public engagement process (Open House and Public Hearing) to be held in conjunction with the bylaw.
June 18	All-day Open House hosted at City Hall.
June 18 (6pm)	Public Hearing.
June 18 – 25	Comments from the public received, documented and transmitted to Council.
June 25	Zoning Bylaw Amendment given 3 rd reading.
July 16____	Ministry of Transportation and Infrastructure approved Bylaw.
July 23, 2018	Zoning Bylaw Amendment given final reading.

Report Approval Details

Document Title:	09-4600-Bylaw 2039-A1 Cannabis Zoning Final Reading.docx
Attachments:	- Zoning Amendment Bylaw 2039-A1 Endorsed MoTI.pdf - Cannabis Underlying Zoning Map letter.pdf
Final Approval Date:	Jul 18, 2018

This report and all of its attachments were approved and signed as outlined below:

Dolores Sheets - Jul 17, 2018 - 4:07 PM

No Signature - Task assigned to Diane Heinrich was completed by assistant Daniel Drexler

Diane Heinrich - Jul 18, 2018 - 7:35 AM