

Council Meeting Agenda

October 16, 2018

9:00 a.m.



ROCKY VIEW COUNTY
Cultivating Communities

262075 ROCKY VIEW POINTE
ROCKY VIEW COUNTY, AB
T4A 0X2

PLEASE NOTE THAT THIS MEETING WILL BE HELD AT THE NEW COUNTY HALL:

262075 Rocky View Point, Rocky View County, AB

CALL MEETING TO ORDER

UPDATES/ACCEPTANCE OF AGENDA

A CONFIRMATION OF MINUTES

1. September 25, 2018 Council Meeting

Page 3

B FINANCIAL REPORTS

- None

C APPOINTMENTS/PUBLIC HEARINGS

- None

D GENERAL BUSINESS

1. All Divisions – File: N/A – CAO Report

Staff Report

Distributed
At The Meeting

2. All Divisions – File: 6000-300 – Alternative Land Use Services (ALUS)

Staff Report

Page 22

3. All Divisions – File: N/A – Amending Terms of Reference for Intermunicipal Committees

Staff Report

Page 29

E BYLAWS

1. Division 4 – File: PL20180052 (03322005) – Bylaw C-7810-2018 – Redesignation Item – Ranch and Farm District to Agricultural Holdings District

Staff Report

Page 36

2. All Divisions – File: N/A – Bylaw C-7832-2018 – *Cannabis Consumption Bylaw*

Staff Report

Page 56

Council Meeting Agenda

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9:00 a.m.



ROCKY VIEW COUNTY
Cultivating Communities

262075 ROCKY VIEW POINTE
ROCKY VIEW COUNTY, AB
T4A 0X2

- F UNFINISHED BUSINESS**
 - None
- G COUNCIL REPORTS**
- H MANAGEMENT REPORTS**
 - None
- I NOTICES OF MOTION**
 - None
- J SUBDIVISION APPLICATIONS**
 - None
- K COMMITTEE OF THE WHOLE/IN CAMERA**
 - None

ADJOURN THE MEETING

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 1

A regular meeting of the Council of Rocky View County was held in Council Chambers of the Municipal Administration Building, 911 – 32nd Avenue NE, Calgary, Alberta on September 25, 2018 commencing at 9:00 a.m.

Present:	Division 6	Reeve G. Boehlke
	Division 5	Deputy Reeve J. Gautreau
	Division 2	Councillor K. McKylor
	Division 3	Councillor K. Hanson
	Division 4	Councillor A. Schule
	Division 7	Councillor D. Henn
	Division 8	Councillor S. Wright
	Division 9	Councillor C. Kissel

Absent:	Division 1	Councillor M. Kamachi
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Also Present:

- R. McDonald, Interim County Manager
- K. Robinson, General Manager
- B. Riemann, General Manager
- C. O'Hara, General Manager
- A. Keibel, Manager, Legislative and Legal Services
- S. Baers, Manager, Planning Services
- R. Barss, Manager, Intergovernmental Affairs
- B. Woods, Manager, Financial Services
- S. Jewison, Manager, Utility Services
- L. Plante, eRecords & GIS Solutions Supervisor, Information Services
- A. Zaluski, Policy Supervisor, Planning Services
- M. Wilson, Planning Supervisor, Planning Services
- V. Diot, Engineering Supervisor, Engineering Services
- S. de Caen, Community Services Coordinator, Recreation and Community Services
- S. Kunz, Planner, Planning Services
- P. Simon, Planner, Planning Services
- X. Deng, Planner, Planning Services
- J. Kirychuk, Planner, Planning Services
- S. MacLean, Planner, Planning Services
- L. Ganczar, Planner, Planning Services
- D. Kazmierczak, Planner, Planning Services
- J. Anderson, Planner, Planning Services
- C. Satink, Deputy Municipal Clerk, Legislative and Legal Services
- T. Andreasen, Legislative Clerk, Legislative and Legal Services

Call to Order

The Chair called the meeting to order at 9:00 a.m. with all members present with the exception of Councillor Kamachi.

1-18-09-25-01

Updates/Acceptance of Agenda

MOVED by Deputy Reeve Gautreau that the September 25, 2018 Council meeting agenda be accepted as amended.

Carried

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 2

MOVED by Deputy Reeve Gautreau that the September 25, 2018 Council meeting agenda be accepted as amended by adding emergent business item D-8 to the agenda.

Carried

1-18-09-25-02
Confirmation of Minutes

MOVED by Councillor Hanson that the September 11, 2018 Council meeting minutes be accepted as presented.

Carried

1-18-09-25-14 (D-5)
Division 3 – Elbow Valley West Sanitary Sewer Connection – Budget Adjustment
File: 4060-200

MOVED by Councillor Hanson that the budget adjustment of \$60,000.00 to fund the connection of Elbow Valley West to the Elbow Valley Pinebrook Wastewater System be approved as per Attachment 'A'.

Carried

1-18-09-25-10 (D-1)
Division 4 – Langdon Recreation Special Tax Funding Grant Applications
File: 6060-300

MOVED by Councillor Schule that the Langdon Recreation Special Tax Funding Grant applications be refused.
Lost

<u>In Favour:</u>	<u>Opposed:</u>
Councillor Schule	Councillor McKylor
Councillor Henn	Councillor Hanson
Councillor Kissel	Reeve Boehlke
	Deputy Reeve Gautreau
	Councillor Wright

MOVED by Councillor Schule that item D-1 be tabled until later in the meeting.

Carried

<u>In Favour:</u>	<u>Opposed:</u>
Reeve Boehlke	Councillor McKylor
Deputy Reeve Gautreau	Councillor Hanson
Councillor Schule	Councillor Wright
Councillor Henn	
Councillor Kissel	

1-18-09-25-11 (D-2)
Division 4 – Road Renaming – Range Road 25A
File: 4557

MOVED by Councillor Henn that the Master Rates Bylaw road renaming application fee of \$500.00 be waived;

AND that Range Road 25A, as shown on Attachment B, be renamed Township Road 285A;

AND that Administration be directed to prepare a Policy regarding road renaming applications to be presented to the Policy & Priorities Committee for review and approval.

Carried

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 3

1-18-09-25-12 (D-3)

Division 2 – Tax Relief Due To Fire Loss – Roll 04722021

File: N/A

MOVED by Deputy Reeve Gautreau that the 2017 municipal tax cancellation request for roll #04722021 due to fire damage, in the amount of \$195.75, be approved;

AND that Administration be directed to prepare a Policy regarding municipal tax cancellation requests due to fire to be presented to the Policy & Priorities Committee for review and approval.

Carried

1-18-09-25-13 (D-4)

All Divisions – Appointment of County External Auditor

File: 2025-600

MOVED by Councillor Hanson that MNP LLP be appointed as Rocky View County's auditor for a period of 5 years.

Carried

1-18-09-25-17 (J-1)

Division 7 – Subdivision Item – Industrial – Industrial Activity District

File: PL20180084 (06401020/06401004)

MOVED by Councillor Henn that Subdivision Application PL20180084 be approved with the conditions noted in Appendix 'A':

- A. The application to create a ± 6.07 hectare (± 15.00 acre) parcel, a ± 8.97 hectare (± 22.17 acre) parcel (together with a boundary adjustment with Lot 3, Block 2, Plan 1711389), and an internal subdivision road with a ± 35.56 hectare (± 87.88 acre) remainder within Lot 1 and Lot 3, Block 2, Plan 1113277 within NE-1/4-01-26-29-W04M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Section 7 of the *Subdivision and Development Regulations*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
 - 1) The application is consistent with the Statutory Policy;
 - 2) The subject lands hold the appropriate land use designation;
 - 3) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 4

Plan of Subdivision

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.

Transportation and Access

- 2) The Applicant/Owner is to provide a Traffic Impact Assessment (TIA) in accordance with the Rocky View County 2013 Servicing Standards and the Balzac Global TIA.
 - i. If the recommendations of the Traffic Impact Assessment require additional improvements to the existing roadway and intersection network, then the Development Agreement shall address these improvements.
- 3) The Owner shall obtain approval for a road name by way of application to, and consultation with, the County for the extension of High Plains Way.

Stormwater/Developability

- 4) The Applicant/Owner shall complete a Geotechnical Investigation in accordance with the Rocky View County 2013 Servicing Standards to verify that the site is suitable for the proposed buildings, site works, and utilities.
 - i. For areas with greater than 1.2 m of fill, a Deep Fill report is required.
- 5) The Applicant/Owner shall submit a Stormwater Management Report and detailed stormwater servicing design, including any improvements related water re ~~es~~ ^{es} public ~~sur~~ ^{sur} system, and irrigation system for the proposed development in accordance with the County Servicing Standards and any applicable provincial regulations, standards, and/or guidelines.
 - i. All improvements shall be constructed under a Development Agreement.
 - ii. Acquiring any related provincial licensing and registration requirements are the responsibility of the developer.
- 6) The Applicant/Owner shall submit an Erosion and Sediment Control Plan and Report in accordance with the County's Servicing Standards.
- 7) The Applicant/Owner shall provide a Construction Management Plan which is to include, but not be limited to, noise, sedimentation and erosion control, traffic accommodation, construction waste management, and construction management details. Specific other requirements include:
 - ii. Weed management during the construction phases of the project;
 - iii. Implementation of the Construction Management Plan recommendations will be ensured through the Development Agreement.
- 8) The Owner shall enter into and comply with a Development Agreement pursuant to Section 655 of the *Municipal Government Act* in accordance with the approved tentative plan, and as contemplated by, and in accordance with, Sections 650, 655, 651 and 648 of the *Municipal Government Act* and Council policies respecting infrastructure and cost recovery the Development Agreement shall include the following:
 - i. Design and construction of a public road system with associated infrastructure which includes the following:
 - (a) Intersection treatment in accordance with the approved TIA;
 - (b) Approaches to each lot;
 - (c) Temporary cul-de-sac including access easement;

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 5

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- (d) Sidewalks/Pathways;
- ii. Design and construction of Landscaping features for all public pathways and roadways, and the Environmental Easement, in accordance with the approved Landscaping Plan;
 - iii. Design and construction of a piped wastewater system with connection to the East Rocky View Wastewater System and related infrastructure;
 - iv. A detailed sanitary servicing study is required in order to determine if upgrades or additional lift station capacity is required. All improvements shall be constructed as part of the Development Agreement;
 - v. Design and construction of a piped water distribution system and fire suppression system;
 - vi. A detailed hydraulic network analysis is required in order to determine if upgrades or additional infrastructure is required. All improvements shall be constructed as part of the Development Agreement;
 - vii. Design and construction of a fire suppression system in accordance with Bylaw C-7259-2013;
 - viii. Design, construction and implementation of the recommendations of the approved Stormwater Management Plan;
 - ix. Dedication of necessary easements and rights of way for utility line assignments;
 - x. Mailboxes are to be located in consultation with Canada Post;
 - xi. Installation of power, natural gas, and telephone lines;
 - xii. Implementation of the recommendations of the Construction Management Plan;
 - xiii. Implementation of the recommendations of the Geotechnical Report;
 - xiv. Implementation of the recommendations of the Biophysical Impact Assessment and Wetland Impact Assessment;
 - xv. Alberta Environment approvals are required for disturbance to any on-site wetlands, prior to signing of the Development Agreement.
 - xvi. Payment of any applicable off-site levies, at the then applicable rates, as of the date of the Development Agreement.
 - xvii. Payment of all applicable contributions to the County or third parties for oversized or excess capacity infrastructure, roads and/or services;
 - xviii. The construction of any oversized or excess capacity infrastructure, roads and/or services benefitting the Owner's lands and development and other lands;

Site Servicing

- 9) The Applicant/Owner shall submit a Detailed Sanitary Servicing Study to support this phase of the development. The study shall confirm the servicing capacity required for the development of the proposed parcel and determine if offsite upgrades to the regional system are required.
 - i. If offsite upgrades or additional lift station capacity are required, then all improvement shall be constructed under a Development Agreement.
 - ii. Improvements that benefit other lands will qualify for cost recovery in accordance with Rocky View County Policy 406.
- 10) The Applicant/Owner shall submit a Detailed Potable Water Servicing and Hydraulic Design Study to ensure the pipelines are sized adequately considering existing and future phases. The study shall

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 6

confirm servicing requirements for this phase are in place and include provision for fire protection in accordance with County Servicing Standards.

- i. If upgrades or improvements are identified in the potable water servicing and hydraulic design study, then the Applicant/Owner shall enter into a Development Agreement.

- 11) The Applicant/Owner shall enter into a Capacity Allocation Agreement for servicing allocation to the lots to be created in Phase 3C based upon the servicing need identified in the potable water servicing and sanitary servicing reports.

Landscaping

- 12) The Owner is to provide a Landscaping Plan for the Landscaping Easement, as shown on the Tentative Plan;

- i. Implementation of the approved landscaping plan shall be included within the requirements of the Development Agreement.

Association Information

- 13) That an encumbrance or instrument shall be concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the High Plains Development Association.
- 14) The Owner is to prepare a Solid Waste Management Plan, which will outline the responsibility of the Lot Owner's Association for the management of solid waste.
- 15) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's Architectural Guidelines as listed in the Conceptual Scheme.

Payments and Levies

- 16) The Applicant/Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of two (2) new lots.
- 17) The Applicant/Owner shall pay the Transportation Off - Site Levy (inc
Special Area Levy) in accordance with the Transportation Off - 756B2014C The County
shall calculate the total owing:
 - i. From the total gross acreage of Lot 1, Lot 2, and the area being dedicated as road right-of-way, as shown on the Plan of Survey.
- 18) The Applicant/Owner shall pay the Water and Wastewater Off-Site Levy in accordance with Bylaw C-7273-2013, for Lots 1 and 2.
 - i. If required, the Applicant/Owner shall enter into any related agreements for payment of the Water and Wastewater Off-Site Levy for the subject lands.

Municipal Reserve

- 19) The provision of Reserve in the amount of 10 percent of the area of Lot 1 and Lot 2 is to be deferred by Caveat to Lot 3, determined by the Plan of Survey, pursuant to Section 669(2) of the Municipal Government Act.
 - i. The existing Deferred Reserve Caveat (171 144 440) shall be discharged.

Taxes

- 20) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the Municipal Government Act.

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 7

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

Carried

1-18-09-25-19 (D-8)

All Divisions – Appointing Councillors to Cochrane Ag Lands Advisory Committee

File: N/A

MOVED by Councillor Schule that the following members of Council be appointed to the Cochrane Ag Lands Advisory Committee:

1. Councillor Kissel
2. Councillor Hanson

Carried

In Favour:

Councillor Hanson
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Schule
Councillor Wright
Councillor Kissel

Opposed:

Councillor McKylor
Councillor Henn

1-18-09-25-03 (C-1)

Division 6 – Bylaw C-7823-2018 – Redesignation Item – Ranch and Farm District to Direct Control District, for construction of a recreational non-motorized trail

File: PL20170174 (07127017, 07128021/022, 07134020/021, 08102013/014/015, 08103007/008/009, 08111008)

The Chair called for a recess at 10:00 a.m. and called the meeting back to order at 10:16 a.m. with all previously mentioned members present.

Reeve Boehlke vacated the Chair as the redesignation application was located in Division 6 and he wished to participate in the debate and voting. Deputy Reeve Gautreau then assumed the Chair.

MOVED by Reeve Boehlke that the public hearing for item C-1 be opened at 10:17 a.m.

Carried

MOVED by Reeve Boehlke that the late letters of support be accepted.

Carried

MOVED by Councillor Wright that the additional late letter of support be accepted.

Carried

Person(s) who presented:

Linda Strong-Watson, Executive Director, Alberta TrailNet Society
Jeannette Richter, Chair, Meadowlark Trail Committee
Dave Fegan, Treasurer, Meadowlark Trail Committee
Dave Wyatt, B&A Planning Group

Person(s) who spoke in favour:

Kim Schmaltz, Deputy Mayor, Town of Irricana

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 8

The Chair called for a recess at 11:30 a.m. and called the meeting back to order at 11:40 a.m. with all previously mentioned members present with the exception of Councillor Hanson.

Councillor Hanson returned to the meeting at 11:41 a.m.

Person(s) who spoke in favour: Louise Reid
Ortrud Finck
Karen Ursu
Heidi Hagel
Al Henuset, Mayor, Village of Beiseker
Brenda Campbell
Don Hollingshead, VP Recreation & Transport, Alberta Bicycle Association
Doug McCullak
Ross Hayes, President, Alberta TrailNet Society

Person(s) who spoke in opposition: Gary Gibson, President, Pioneer Acres Museum

MOVED by Councillor Wright that the amended letter of opposition be accepted.

Carried

<u>In Favour:</u>	<u>Opposed:</u>
Councillor McKylor	Reeve Boehlke
Councillor Hanson	
Deputy Reeve Gautreau	
Councillor Schule	
Councillor Henn	
Councillor Wright	
Councillor Kissel	

Person(s) who spoke in opposition: Matthew Fasoli on behalf of the following:
Bill and Elaine Reddaway
Dave and Claire Andrews
Matthew Josh and Violet Scott
Elaine Walker
Rick Hagel
Corrina Nolan
Ken Dyck
Glen and Janice Culp
Susan Berdahl
Greg Whitlow

The Chair called for a recess at 12:26 p.m. and called the meeting back to order at 12:31 p.m. with all previously mentioned members present.

Person(s) who spoke in rebuttal: Linda Strong-Watson, Executive Director, Alberta TrailNet Society
Dave Wyatt, B&A Planning Group

MOVED by Reeve Boehlke that the public hearing for item C-1 be closed at 12:55 p.m.

Carried

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 9

MOVED by Reeve Boehlke that section 1.3.0 of Bylaw C-7823-2018 be amended as follows:

Council ~~The Development Authority~~ shall be responsible for the issuance of Development Permit(s) for the Lands subject to this bylaw.

Carried

MOVED by Reeve Boehlke that Bylaw C-7823-2018 be given first reading as amended.

Carried

MOVED by Councillor Schule that Bylaw C-7823-2018 be given second reading as amended.

Carried

MOVED by Councillor Hanson that Bylaw C-7823-2018 be considered for third reading as amended.

Carried

MOVED by Reeve Boehlke that Bylaw C-7823-2018 be given third and final reading as amended.

Carried

Deputy Reeve Gautreau vacated the Chair. Reeve Boehlke then reassumed the Chair.

The Chair called for a recess at 1:06 p.m. and called the meeting back to order at 2:04 p.m. with all previously mentioned members present with the exception of Councillor Hanson.

1-18-09-25-04 (C-2)

Division 7 – Bylaw C-7814-2018 – Redesignation Item – Recreation Business District to Industrial – Industrial Storage District

File: PL20180028 (06513017)

MOVED by Councillor Henn that the public hearing for item C-2 be opened at 2:04 p.m.

Carried

Absent: Councillor Hanson

Councillor Hanson returned to the meeting at 2:05 p.m.

MOVED by Councillor Henn that the late letter of opposition be accepted.

Carried

Person(s) who presented: Rod Potrie, Planning Protocol, Applicant

The Chair called for a recess at 2:26 p.m. and called the meeting back to order at 2:27 p.m. with all previously mentioned members present.

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: Rod Potrie, Planning Protocol, Applicant

MOVED by Councillor Henn that the public hearing for item C-2 be closed at 2:33 p.m.

Carried

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 10

MOVED by Councillor Henn that application PL20180028 be refused.

Carried

In Favour:

Councillor Hanson
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Schule
Councillor Henn
Councillor Wright

Opposed:

Councillor McKylor
Councillor Kissel

1-18-09-25-05 (C-3)

Division 8 – Bylaw C-7811-2018 – Redesignation Item – Residential Two District to Residential One District
File: PL20180080 (06712114)

MOVED by Councillor Wright that the public hearing for item C-3 be opened at 2:41 p.m.

Carried

MOVED by Councillor Wright that the late letter of opposition be accepted.

Carried

Person(s) who presented: Travis Siltala, Vista Geomatics Ltd., Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Wright that the public hearing for item C-3 be closed at 2:52 p.m.

Carried

MOVED by Councillor Wright that Bylaw C-7811-2018 be given first reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7811-2018 be given second reading.

Carried

MOVED by Councillor Kissel that Bylaw C-7811-2018 be considered for third reading.

Carried

MOVED by Councillor Wright that Bylaw C-7811-2018 be given third and final reading.

Carried

The Chair called for a recess at 2:54 p.m. and called the meeting back to order at 2:59 p.m. with all previously mentioned members present with the exception of Councillor Hanson.

1-18-09-25-06 (C-4)

Division 2 – Bylaw C-7793-2018 – Redesignation Item – Residential Two District to Residential One District
File: PL20170121 (04726013)

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 11

MOVED by Councillor McKylor that the public hearing for item C-4 be opened at 2:59 p.m.

Carried
Absent: Councillor Hanson

Councillor Hanson returned to the meeting at 3:01 p.m.

Person(s) who presented: Wayne Burwash, Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor McKylor that the public hearing for item C-4 be closed at 3:10 p.m.

Carried

MOVED by Councillor McKylor that Bylaw C-7793-2018 be given first reading.

Carried

MOVED by Councillor Hanson that Bylaw C-7793-2018 be given second reading.

Carried

MOVED by Councillor Henn that Bylaw C-7793-2018 be considered for third reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7793-2018 be given third and final reading.

Carried

1-18-09-25-07 (C-5)

Division 7 – Bylaw C-7822-2018 – Redesignation Item – New or Distinct Agricultural Use – Ranch and Farm District to Ranch and Farm Three District

File: PL20180043 (06736003)

MOVED by Councillor Henn that the public hearing for item C-5 be opened at 3:13 p.m.

Carried

MOVED by Councillor Henn that the late letter of support be accepted.

Carried

Person(s) who presented: Larry Konschuk, Applicant

Person(s) who spoke in favour: Frank Turner

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Henn that the public hearing for item C-5 be closed at 3:27 p.m.

Carried

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 12

MOVED by Councillor Henn that Bylaw C-7822-2018 be given first reading.

Carried

MOVED by Councillor Schule that Bylaw C-7822-2018 be given second reading.

Carried

MOVED by Councillor McKylor that Bylaw C-7822-2018 be considered for third reading.

Carried

MOVED by Councillor Henn that Bylaw C-7822-2018 be given third and final reading.

Carried

The Chair called for a recess at 3:28 p.m. and called the meeting back to order at 3:37 p.m. with all previously mentioned members present.

1-18-09-25-08 (C-6)

Division 4 – Bylaw C-7810-2018 – Redesignation Item – Ranch and Farm District to Agricultural Holdings District
File: PL20180052 (03322005)

MOVED by Councillor Schule that the public hearing for item C-6 be opened at 3:37 p.m.

Carried

Person(s) who presented: Larry Konschuk, Applicant

Person(s) who spoke in favour: Linda Meyer
Bruce McIntosh

Person(s) who spoke in opposition: None

Person(s) who spoke in rebuttal: None

MOVED by Councillor Schule that the public hearing for item C-6 be closed at 4:03 p.m.

Carried

MOVED by Councillor Schule that Council sets aside Policy 8.1.2 of the Rocky View County / City of Calgary Intermunicipal Development Plan (Bylaw C-7078-2011) with respect to Identified City of Calgary Growth Areas for redesignation application PL20180052.

Carried

In Favour:
Councillor McKylor
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Schule
Councillor Henn

Opposed:
Councillor Hanson
Councillor Kissel
Councillor Wright

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 13

MOVED by Councillor Schule that Council sets aside Policy 8.22 of the County Plan (Bylaw C-7210-2018) with respect to redesignation and subdivision for agricultural purposes for redesignation application PL20180052.
Carried

<u>In Favour:</u>	<u>Opposed:</u>
Councillor McKylor	Councillor Hanson
Reeve Boehlke	Councillor Kissel
Deputy Reeve Gautreau	Councillor Wright
Councillor Schule	
Councillor Henn	

MOVED by Councillor Schule that Bylaw C-7810-2018 be given first reading.

Carried

<u>In Favour:</u>	<u>Opposed:</u>
Councillor McKylor	Councillor Hanson
Reeve Boehlke	Councillor Kissel
Deputy Reeve Gautreau	Councillor Wright
Councillor Schule	
Councillor Henn	

MOVED by Councillor Henn that Bylaw C-7810-2018 be given second reading.

Carried

<u>In Favour:</u>	<u>Opposed:</u>
Councillor McKylor	Councillor Hanson
Reeve Boehlke	Councillor Kissel
Deputy Reeve Gautreau	Councillor Wright
Councillor Schule	
Councillor Henn	

MOVED by Councillor McKylor that Bylaw C-7810-2018 be considered for third reading.

Lost

<u>In Favour:</u>	<u>Opposed:</u>
Councillor McKylor	Councillor Hanson
Reeve Boehlke	Councillor Kissel
Deputy Reeve Gautreau	Councillor Wright
Councillor Schule	
Councillor Henn	

The Chair called for a recess at 4:08 p.m. and called the meeting back to order at 4:21 p.m. with all previously mentioned members present.

1-18-09-25-09 (C-7)

Division 2 – Bylaw C-7824-2018 – Redesignation Item – Residential Two District to Residential One District
File: PL20180045 (05714035)

MOVED by Councillor McKylor that the public hearing for item C-7 be opened at 4:21 p.m.

Carried

Person(s) who presented: Mark Broddle, Lighthouse Studios Inc., Applicant

Person(s) who spoke in favour: None

Person(s) who spoke in opposition: John Labu on behalf of the two neighbours south of the subject lands

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 14

Person(s) who spoke in rebuttal: Mark Broddle, Lighthouse Studios Inc., Applicant

MOVED by Councillor McKylor that the public hearing for item C-7 be closed at 4:51 p.m.

Carried

MOVED by Councillor Kissel that the meeting proceed past 5:00 p.m.

Carried

MOVED by Councillor McKylor that application PL20180052 be refused.

Lost

In Favour:

Councillor McKylor
Councillor Kissel
Councillor Wright

Opposed:

Councillor Hanson
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Schule
Councillor Henn

MOVED by Councillor McKylor that Bylaw C-7824-2018 be given first reading.

Carried

The Chair called for a recess at 5:15 p.m. and called the meeting back to order at 5:20 p.m. with all previously mentioned members present.

MOVED by Councillor McKylor that Administration be directed to provide the following additional information for Bylaw C-7824-2018 prior to second reading at the October 23, 2018 Council meeting:

- a) Remaining acreage size excluding the escarpment and restrictive covenant area; and
- b) If the remaining size can support two proposed houses, two septic fields, and two water wells.

Carried

1-18-09-25-10 (D-1)

Division 4 – Langdon Recreation Special Tax Funding Grant Applications
File: 6060-300

MOVED by Councillor Schule that item D-1 be lifted from the table.

Carried

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 15

MOVED by Councillor Schule that Langdon Recreation Special Tax Funding Grants be approved for the following:

- a) Langdon Community Church – funding to address safety and infrastructure maintenance concerns at Langdon Women’s Institute Hall, not to exceed \$15,000.00.
- b) Langdon Theatre Association – funding to assist with weekly meeting space rental costs and instructor fees for the balance of 2018, not to exceed \$10,000.00.

Carried

In Favour:

Councillor Hanson
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Schule
Councillor Henn
Councillor Wright
Councillor Kissel

Opposed:

Councillor McKylor

The Chair called for a recess at 5:30 p.m. and called the meeting back to order at 5:36 p.m. with all previously mentioned members present.

1-18-09-25-15 (D-6)

All Divisions – Aggregate Resource Plan – Request for Direction

File: 4010-100

MOVED by Councillor Kissel that the submissions for item D-6 be accepted.

Lost

In Favour:

Councillor Kissel
Councillor Wright

Opposed:

Councillor McKylor
Councillor Hanson
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Schule
Councillor Henn

MOVED by Councillor Wright that Council directs Administration to have the Aggregate Resource Plan edited by a steering committee with the following terms of reference:

- Five Rocky View County residents;
- Five aggregate industry representatives;
- Two Rocky View County Councillors;
- Representatives from Rocky View County’s Planning and Infrastructure and Operations departments;
- With meetings to be held at the County and facilitated by County staff; and
- Work to be completed within three months.

Lost

In Favour:

Councillor Hanson
Councillor Kissel
Councillor Wright

Opposed:

Councillor McKylor
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Schule
Councillor Henn

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 16

MOVED by Deputy Reeve Gautreau that Council rescinds the Aggregate Resource Plan Terms of Reference;

AND directs Administration to develop an aggregate resource extraction policy and accompanying procedures that only cover application submission requirements and performance standards to be completed within three months.

Carried

In Favour:

Councillor McKylor
Reeve Boehlke
Deputy Reeve Gautreau
Councillor Schule
Councillor Henn

Opposed:

Councillor Hanson
Councillor Kissel
Councillor Wright

1-18-09-25-16 (D-7)

All Divisions – Calgary Metropolitan Region Board – Approval of an Interim Growth Plan and Interim Regional Evaluation Framework

File: N/A

MOVED by Deputy Reeve Gautreau that Rocky View County Council supports the adoption of the Interim Growth Plan.

Carried

MOVED by Deputy Reeve Gautreau that Rocky View County Council propose amendments to the Interim Regional Evaluation Framework with respect to approval procedures and support the adoption of the Interim Regional Evaluation Framework subject to the adoption of the County's amendments:

- 1) The objecting municipality must give reasons for their objection related to the Interim Growth Plan; and
- 2) The objecting municipality must make the motion with respect to the statutory plan they have objected to.

Carried

1-18-09-25-18 (J-2)

Division 3 – Subdivision Item – Residential One District

File: PL20160136 (04725027)

MOVED by Councillor Hanson that Mr. Ken Till be allowed to address Council for five minutes.

Lost

In Favour:

Councillor Hanson
Deputy Reeve Gautreau
Councillor Schule
Councillor Kissel

Opposed:

Councillor McKylor
Reeve Boehlke
Councillor Henn
Councillor Wright

MOVED by Councillor Hanson that Subdivision Application PL20160136 be approved with the conditions noted in Appendix 'A':

- A. The application to create a \pm 1.03 hectare (2.55 acre) parcel with a \pm 0.81 hectare (2.00 acre) remainder within Lot 4, Plan 8911444; SW-25-24-3-W05M, having been evaluated in terms of Section 654 of the *Municipal Government Act*, Section 7 of the *Subdivision and Development Regulations*, and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 17

-
- 1) The application is consistent with the Statutory Policy;
 - 2) The subject lands hold the appropriate land use designation;
 - 3) The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

Plan of Subdivision

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the *Municipal Government Act*, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
- 2) The Owner is to dedicate, by Plan of Survey, a 5.0 m wide portion of land for road widening along the western boundary of Lot 2.

Transportation and Access

- 3) The Owner shall construct a new paved approach on Carriage Lane in order to provide access to Lot 2.
- 4) The Owner is to enter into an Agreement, to be registered by caveat, respecting the future acquisition of lands for road widening, and shall include:
 - i. The provision of 3.0 m road widening along the western boundary of the property;
 - ii. The purchase of land by the County for \$1;

Site Servicing

- 5) The Owner is to provide and implement a Site Specific Stormwater Management Plan that meets the requirements outlined in the Springbank Master Drainage Plan. Implementation of the Stormwater Management Plan shall include the following:
 - i. If the recommendations of the Stormwater Management Plan require improvements, then the Applicant/Owner shall enter into a Site Improvements / Services Agreement or Development Agreement;
 - ii. Registration of any required easements and / or utility rights-of-way;
 - iii. Necessary approvals and compensation provided to Alberta Environment for wetland loss and mitigation;
 - iv. Necessary Alberta Environment licensing documentation for the stormwater infrastructure system.

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 18

For Lot 1

- 6) That the Applicant/Owner is to provide an easement agreement, to the satisfaction of the County, that Lot 1 has legal access to water servicing from Lot 1 Plan 891 1444. This agreement should include the following:
- i. License confirmation from Alberta Environment that the existing well located on Lot 1, Plan 891 1444 is a licensed communal well as it is providing water to both Lot 1 and Lot 4 in the subdivision Plan 891 1444.
 - ii. An attached Map that accurately reflects the wells location on the existing Lot 1, Plan 891 1444.

OR

Water is to be supplied by an individual well on Lot 1. The subdivision shall not be endorsed until:

- i. An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the wells on each lot; and
- ii. The results of the aquifer testing meet the requirements of the Water Act; if they do not, the subdivision shall not be endorsed or registered.

OR

The Applicant/Owners are to provide confirmation of tie-in for connection to the Rocky View Water Co-op, an Alberta Environment licensed piped water supplier, for Lot 1, as shown on the Approved Tentative Plan. This includes providing information regarding:

- i. Confirmation from the water supplier that an adequate and continuous piped water supply is available for Lot 1;
- ii. Documentation proving that water supply has been purchased for both Lot 1 ;
- iii. Documentation proving that water supply infrastructure requirements, including servicing to the property, have been installed, or installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.

For Lot 2

- 7) Water is to be supplied by an individual well on Lot 2. The subdivision shall not be endorsed until:
- i. An Aquifer Testing (Phase II) Report is provided, which is to include aquifer testing and the locations of the wells on each lot; and
 - ii. The results of the aquifer testing meet the requirements of the Water Act; if they do not, the subdivision shall not be endorsed or registered.

OR

The Applicant/Owners are to provide confirmation of tie-in for connection to the Rocky View Water Co-op, an Alberta Environment licensed piped water supplier, for Lot 2, as shown on the Approved Tentative Plan. This includes providing information regarding:

- i. Confirmation from the water supplier that an adequate and continuous piped water supply is available for both Lot 2;
- ii. Documentation proving that water supply has been purchased for Lot 2;
- iii. Documentation proving that water supply infrastructure requirements, including servicing to the property, have been installed, or installation is secured between the developer and water supplier, to the satisfaction of the water supplier and the County.

ROCKY VIEW COUNTY
COUNCIL MEETING MINUTES
September 25, 2018

Page 19

-
- 8) The Owner is to enter into a Development Agreement (Site Improvements / Services Agreement) with the County that shall include the following:
- i. The construction of a packaged sewage treatment system meeting BNQ or NSF 40 Standards, in accordance with the findings of the Private Sewage Treatment System Assessment and Site Evaluation prepared by Almor Testing Services.

Payments and Levies

- 9) The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of one (1) new Lot.
- 10) The Applicant/Owner shall pay the Transportation Off-Site Levy (TOL) in accordance with Bylaw C-7356-2014 prior to subdivision endorsement:
- i. From the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.

Municipal Reserve

- 11) The provision of Reserve in the amount of 10 percent of the area of Lots 1 and 2, as determined by the Plan of Survey, is to be provided by payment of cash-in-lieu in accordance with the per acre value listed in the land appraisal prepared by Douglas Pollard, file 17-002-MDRV, dated January 24, 2017, pursuant to Section 666(3) of the *Municipal Government Act*.
- i. From the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.

Taxes

- 12) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the *Municipal Government Act*.

D. SUBDIVISION AUTHORITY DIRECTION:

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.

Carried

Adjournment

MOVED by Councillor Schule that the September 25, 2018 Council Meeting be adjourned at 6:45 p.m.

Carried

REEVE

CAO or Designate

AGRICULTURAL SERVICE BOARD

TO: Council

DATE: October 16, 2018 **DIVISION:** All

FILE: 6000-300

SUBJECT: Alternative Land Use Services (ALUS)

¹POLICY DIRECTION:

The creation of the Partnership Advisory Committee (PAC) to assist with the implementation and operation of the Alternative Land Use Services (ALUS) program in Rocky View County is supported by provincial legislation and County policy:

- 1) Section 5(1) of the *Agricultural Service Board Act* states the following:
 - “A council may appoint one or more advisory committees with respect to any matter related to agriculture.”
- 2) Section 8 of Rocky View County Procedure #500, *Operation of the Agricultural Service Board*, states the following:
 - “The Agricultural Service Board may recommend to Council that an ad hoc advisory committee be appointed to assist the Board with respect to any agricultural matter, as per the ASB Act.”

EXECUTIVE SUMMARY:

The Alternative Land Use Services program is a community developed, farmer-delivered program that gives Canadians the opportunity to play an active role in building a healthier environment by providing support to farmers and ranchers to enhance and maintain ecosystem services. ALUS has a simple goal: create a healthy working landscape that sustains agriculture, wildlife and natural spaces for all Canadians.

The Partnership Advisory Committee will guide the ALUS program in Rocky View County. PAC members will provide advice and community input into the decision-making process that shapes how ALUS is delivered. At the October 4, 2018 Agricultural Service Board meeting, the Board unanimously passed the following motion:

MOVED by Councillor Kissel that the Agricultural Service Board recommends to Council that an Ad Hoc Committee, the Partnership Advisory Committee, be formed to assist the Agricultural Service Board with the implementation and operation of the Alternative Land Use Services Program;

AND that the Agricultural Service Board further recommends to Council that the Terms of Reference for the Partnership Advisory Committee be considered for approval.

Under the PAC Terms of Reference, the Agricultural Service Board will operate as the PAC on an interim basis to assist with the implementation and operation of ALUS.

¹**Administration Resources**
Kristyn Smigelski, Agriculture Services



BACKGROUND:

At the November 23, 2017 Agricultural Service Board meeting, the Board requested that Administration bring an implementation plan for the ALUS program to an upcoming meeting for review. At the October 4, 2018 Agricultural Service Board meeting, the Board recommended to Council that a Partnership Advisory Committee be formed and that the Terms of Reference be considered for approval. The draft Terms of Reference for the establishment of the Partnership Advisory Committee, for the ALUS Program, is attached for review.

ALUS began as a vision of Keystone Agricultural Producers (KAP), Manitoba's largest farm organization, and Delta Waterfowl Foundation. KAP and Delta proposed farmers get paid to provide ecological goods and services from their land, and they proposed that those incentives be delivered through community-based organizations. From those humble beginnings, ALUS projects are now established in four provinces, and the movement continues to affect policy in other jurisdictions.

ALUS was launched in Alberta in 2010. The County of Vermilion River, east of Edmonton, stepped up to initiate a project that, after the first year, boasted more than 1,000 acres under improvement. For more information on ALUS please follow the link provided: <http://www.alus.ca/>.

BUDGET IMPLICATION(S):

There are no budget implications.

OPTIONS:

Option #1 THAT the Terms of Reference for the Partnership Advisory Committee be approved as per Attachment 'A'.

Option #2 THAT Council provides alternative direction.

Respectfully submitted,

Concurrence,

Byron Riemann

Rick McDonald

General Manager

Interim County Manager

ATTACHMENTS:

ATTACHMENT 'A' – Draft PAC Terms of Reference



Terms of Reference

Purpose

- 1 The Partnership Advisory Committee (PAC) will guide the Alternative Land Use Services (ALUS) Program in Rocky View County. PAC members will provide advice and community input into the decision-making process that shapes how ALUS is delivered in Rocky View County.

Functions

- 2 Responsibilities of the PAC will include, but are not limited to, the following:
 - (1) Reviewing and deciding on potential agricultural producer/landowner projects based on ALUS principles;
 - (2) Establishing payment structure/amounts for each agricultural producer/landowner project;
 - (3) Monitoring demonstration parcels to ensure continued conformance with landowner agreements; and
 - (4) Promoting ALUS in Rocky View County.
- 3 Responsibilities of the PAC Coordinator include, but are not limited to, the following:
 - (1) Communicating with external organizations in regards to the Rocky View County ALUS program;
 - (2) Seeking in-kind contributions and grants to support the program;
 - (3) Acting as a liaison between the ALUS PAC, the Agricultural Service Board, Council, and the agricultural community; and
 - (4) Reporting to Council and ALUS.

Goals

- 4 The goal of the PAC is to promote sustainable management of Rocky View County's natural resources by supporting Rocky View County's local agricultural producers in alignment with the goals of ALUS Canada.
- 5 Alternative Land Use Services primary goal is to create a healthy landscape that sustains agriculture, wildlife and natural spaces for all Canadians.
- 6 The operation and delivery of the ALUS program encourages and supports sustainable agriculture by promoting beneficial management practices and the implementation of on-the-ground projects which protect and restore natural areas such as wetlands, grasslands, riparian areas, and treed areas. The results of these projects may include: habitat for fish and wildlife, species at risk, and native pollinator insects; cleaner air and water; and sustainable food production on working landscapes.



ALUS – Partnership Advisory Committee

Membership

- 7 The PAC is an ad hoc committee of Rocky View County's Agricultural Service Board, in partnership with ALUS Canada, as per the Memorandum of Understanding between Rocky View County and ALUS Canada.
- 8 The PAC will include seven voting members consisting of the following:
 - (1) Three Rocky View County Agricultural Service Board Council members; and
 - (2) Four Rocky View County Agricultural Service Board members at large.
- 9 Appointments of ASB members at large and ASB Council members to the PAC will be done at the first meeting of the ASB following the appointment of any new or incumbent ASB member.

Supporting Resources

- 10 The PAC will be supported by Rocky View County's ALUS Program Coordinator, Rocky View County staff, ALUS Canada, and additional technical advisors as required. Rocky View County will provide financial administration of revenues and expenditures for PAC and disbursements to the agricultural producer/landowner partner projects. Staff from ALUS Canada and the ALUS Alberta Municipal Alliance may be at PAC meetings to provide advice, information, and other resources. From time to time, representatives of interested groups will be invited to attend meetings as non-voting guests and provide input or information.
- 11 Supporting resources include:
 - (1) ALUS Coordinator;
 - (2) Rocky View County Agricultural Services Staff;
 - (3) ALUS Canada Representative; and
 - (4) Additional members of local agro-environmental government and/or non-government agencies occasionally invited as technical advisors.
- 12 The following list of organizations represents local agro-environmental government and/or non-government agencies from which technical advisors may be drawn. This list may change over time at the discretion of the PAC:
 - (1) Alberta Riparian Habitat Management Society ("Cows and Fish");
 - (2) Alberta Environment and Parks;
 - (3) Alberta Agriculture and Forestry;
 - (4) Alberta Conservation Association;
 - (5) Ducks Unlimited Canada;
 - (6) Bow River Basin Council;



ALUS – Partnership Advisory Committee

- (7) Red Deer River Watershed Alliance;
- (8) Jumpingpound Creek Watershed Partnership;
- (9) The Western Irrigation District; and
- (10) Foothills Forage and Grazing Association.

Remuneration

- 13 The per diem rate for the PAC will be same as the Agricultural Service Board rates established in Rocky View County Policy C-221, *Council Committee Remuneration*, for voting members of the PAC.
- 14 Technical advisors who are being paid by another organization to attend PAC meetings as part of their regular scope of work, and/or are considered to be providing in-kind support to Rocky View County's ALUS program, are not eligible for payment.

Chair

- 15 PAC members shall elect a Chair and Vice Chair on an annual basis from among their voting members. The Chair, and in his/her absence the Vice-Chair, shall preside at meetings and carry out the following duties:
 - (1) Working with the ALUS Coordinator to prepare meeting agendas; and
 - (2) Knowing and following the rules of parliamentary procedure.

Meetings

- 16 There will be three to four planned meetings held per year. Additional meetings can be planned if deemed necessary by the PAC and/or ALUS Coordinator.
- 17 Decisions of the PAC will be reached by consensus as much as possible, where consensus is defined as close enough to agreement that there is no formal objection. PAC works primarily to advise and direct the general direction of ALUS within the community. If necessary, formal votes will be called and the majority shall rule. In the event of a tie vote, the motion will be deemed denied.
- 18 Quorum shall consist of a majority of PAC (at least four voting members).
- 19 Minutes will be taken at each meeting and circulated to all PAC members in a timely fashion following the meeting. Approved minutes will be made available to the public and may be posted on the County or ALUS Canada websites.

Conflict of Interest and Confidentiality

- 20 PAC members must declare any conflict of interest and refrain from discussing or voting on any matter before PAC that the member has a pecuniary interest or conflict of interest. PAC



ALUS – Partnership Advisory Committee

members must not disclose confidential or personal information accessed as a committee member.

Dissolution

- 21** The PAC will exist as long as the ALUS Memorandum of Understanding between Rocky View County and ALUS Canada is renewed. Dissolution of PAC will occur if either ALUS Canada or Rocky View County decides to end their participation in the Rocky View County ALUS Program, pursuant to the dissolution clauses contained in the Memorandum of Understanding. Should dissolution of PAC occur as a result of the above, each member will be provided with written notification in advance of the dissolution of the PAC. Upon receipt of the notice of dissolution, the Chair of PAC may call for a final “wrap-up” meeting to resolve any outstanding business that may exist.

Approval Date

Replaces

Lead Role

Committee Classification

Last Review Date

Next Review Date

•

• n/a

• PAC Chair

• Ad Hoc Committee of the Agricultural Service Board

• n/a

•

Reeve

Approval Date

Definitions

- 22** In this document, the following definitions apply:

(1) “ALUS” means Alternative Land Use Services;



ROCKY VIEW COUNTY
Cultivating Communities

ALUS – Partnership Advisory Committee

- (2) “**ASB**” means the Agricultural Service Board;
- (3) “**Council**” means the duly elected Council of Rocky View County;
- (4) “**PAC**” means the Partnership Advisory Committee; and
- (5) “**PAC Coordinator**” means the Agricultural Services Staff Member responsible for implementation and coordination of the ALUS program

DRAFT



INTERGOVERNMENTAL AFFAIRS

TO: Council
DATE: October 16, 2018 **DIVISION:** All
FILE: N/A
SUBJECT: Amending Terms of Reference for Intermunicipal Committees

¹ POLICY DIRECTION:

The purpose of this report is to review the existing Terms of Reference for the Intermunicipal Committees to ensure it reflects Rocky View County's desired Committee membership, meeting, and reporting protocols.

EXECUTIVE SUMMARY:

Intermunicipal Committees (IMCs) provide a venue through which to communicate and discuss matters of mutual interest between Rocky View County's Council and Council members of adjacent municipalities. The previous IMC Terms of Reference was adopted in 2013 (Attachment 'A'). Administration has amended the IMC Terms of Reference to reflect the current objectives and processes of the IMCs.

BACKGROUND:

Councillors are appointed to IMCs based on their role (Reeve, Deputy Reeve, or Policy and Priorities Committee Chair) and whether their division borders another municipality's. One to four IMC meetings occur between the County and another municipality per year depending on the capacity of each municipality's Council and administration.

Although IMC meetings provide a venue to communicate, IMC members cannot make decisions on behalf of their respective Councils at these meetings. IMC members may take the information they learn at an IMC meeting, share it with their respective Councils, and then decide whether to provide direction to administration.

The updated IMC Terms of Reference (Attachment 'B') includes the following revisions:

- a) Adding Division 8 to the Town of Cochrane IMC to enhance communication between the Town and Rocky View County on the Bearspaw community;
- b) Clarifying the role of the Reeve and Deputy Reeve when chairing an IMC meeting; and
- c) Adding the ability to establish ad-hoc IMC meetings with additional rural neighbours.

BUDGET IMPLICATION:

There are no budget implications.

OPTIONS:

- Option #1: THAT the amended Terms of Reference for the Intermunicipal Committees be adopted as per Attachment 'B'.
- Option #2: THAT alternative direction be provided.

¹ **Administration Resources**
Richard Barss, Intergovernmental Affairs

Respectfully submitted,

“Rick McDonald”

Interim County Manager

ATTACHMENTS:

Attachment ‘A’: 2013 Terms of Reference for Intermunicipal Committees

Attachment ‘B’: 2018 Terms of Reference for Intermunicipal Committees

TERMS OF REFERENCE



	Title: Intermunicipal Committees
Committee Classification: Advisory	Establishment: October 8, 2013
Authority: Council Resolution	Effective Date: October 8, 2013 Amended: Repealed:

1 Purpose

The purpose of this Terms of Reference is to establish Intermunicipal Committees to enhance communication with adjacent municipalities and discuss matters of mutual interest and concern.

2 Membership

- (1) The Intermunicipal Committees named below shall be comprised of the following members of Council:
 - (a) Airdrie Intermunicipal Committee
 - (i) Divisions 6 and 7
 - (b) Beiseker Intermunicipal Committee
 - (i) Divisions 5 and 6
 - (a) Calgary Intermunicipal Committee
 - (i) Reeve, Deputy Reeve, and Chair of the Policy and Priorities Committee with additional Councillors being invited to attend if their division is affected.
 - (b) Chestermere Intermunicipal Committee
 - (i) Divisions 4 and 5
 - (c) Cochrane Intermunicipal Committee
 - (i) Divisions 1, 2 and 9
 - (d) Crossfield Intermunicipal Committee
 - (i) Divisions 6 and 7
 - (e) Foothills Intermunicipal Committee
 - (i) Divisions 1 and 4
 - (f) Irricana Intermunicipal Committee
 - (i) Divisions 5 and 6

Terms of Reference – Intermunicipal Committees

- (g) Wheatland Intermunicipal Committee
 - (i) Divisions 4 and 5 and 6
- (2) All Intermunicipal Committees will be supported by Administration, appointed by the County Manager.
- (3) The Committee shall, at the first meeting held following the Organizational Meeting, appoint a Chair.

3 Meetings

- (1) The Committee shall, at the first meeting held following the Organizational Meeting:
 - (a) Determine the frequency in which the meetings are required.
 - (b) Determine the next meeting date prior to adjournment or consider potential meeting dates for the ensuing year.
- (2) Hosting of the committee meetings shall alternate between the two municipalities.
- (3) Should either municipality determine that the proposed agenda does not warrant a meeting, a cancellation notice shall be issued by the municipality.

4. Reporting

- (1) Administration shall provide a report to Council once the notes have been approved.

Reeve

Municipal Clerk



Intermunicipal Committee

Terms of Reference

TOR #C-IMC

Purpose

- 1 Intermunicipal Committees are intended to enhance communication with adjacent municipalities and discuss matters of mutual interest.

Membership

- 2 The Reeve or Deputy Reeve may attend each IMC at their discretion as an *ex-officio* member.
- 3 Rocky View County Intermunicipal Committee members shall be comprised of Councillors from the following divisions:
 - (1) Airdrie Intermunicipal Committee:
 - (a) Divisions 6 and 7;
 - (2) Beiseker Intermunicipal Committee:
 - (a) Divisions 5 and 6;
 - (3) Calgary Intermunicipal Committee:
 - (a) Reeve, Deputy Reeve, and Chair of the Policy and Priorities Committee, with additional Councillors invited to attend if their division is affected by an item on the agenda;
 - (4) Chestermere Intermunicipal Committee:
 - (a) Divisions 4 and 5;
 - (5) Cochrane Intermunicipal Committee:
 - (a) Divisions 1, 2, 8, and 9;
 - (6) Crossfield Intermunicipal Committee:
 - (a) Divisions 6 and 7;
 - (7) Irricana Intermunicipal Committee:
 - (a) Divisions 5 and 6;
 - (8) Ad-Hoc Intermunicipal Committee:
 - (a) An ad-hoc Intermunicipal Committee can be assembled to meet with neighbouring municipalities beyond those identified in sections 3 (1) to (7) and may include:
 - (i) Municipal District of Bighorn;
 - (ii) Municipal District of Foothills;
 - (iii) Kneehill County;



Intermunicipal Committee

- (iv) Mountain View County; and
- (v) Wheatland County.
- (b) Membership of these Committees should include the Reeve or Deputy Reeve, and the area Councillor(s) that are adjacent to that municipality;
- (9) All Intermunicipal Committees will be supported by the County Manager or their designate(s).

Meetings

- 4 The Committee shall, at the first meeting held following the Organizational Meeting, confirm the dates and number of meetings for the following year with the partner municipality.
- 5 Hosting of the committee meetings shall alternate between the two municipalities that are part of the Intermunicipal Committees.
- 6 The Chair of the meeting will be as follows when Rocky View County is the host:
 - (1) The Reeve is the official Chair of the meeting;
 - (2) If the Reeve is not present, the Deputy Reeve acts as Chair;
 - (3) If neither the Reeve nor Deputy Reeve is available, one of the Councillors appointed to the IMC shall act as the Chair; and
 - (4) Rocky View County IMC members determine the alternate Chair at the first Committee meeting.
- 7 Agendas are circulated one week prior to a scheduled meeting.
- 8 Meeting notes are circulated two weeks following a scheduled meeting.
- 9 If either municipality determines that the proposed agenda does not warrant a meeting, a cancellation notice shall be issued by that municipality.

Reporting

- 10 Administration, at the direction of the Chair, will prepare a quarterly memo to Council that identifies key outcomes and next steps of each Intermunicipal Committee meeting that occurred in that quarter.

Resources / Budget

- 11 The Committee has no additional budget.
- 12 Committee members shall serve without remuneration.



Approval Date

Replaces

-
- Intermunicipal Committees Terms of Reference October 8,



ROCKY VIEW COUNTY
Cultivating Communities

Intermunicipal Committee

	2013
Lead Role	<ul style="list-style-type: none"> County Manager
Committee Classification	<ul style="list-style-type: none"> Council/Advisory
Last Review Date	<ul style="list-style-type: none"> October 3, 2018
Next Review Date	<ul style="list-style-type: none"> N/A

Definitions

- 1 In these terms of reference, the following definitions apply:
 - (1) "Council" means the duly elected Council of Rocky View County; and
 - (2) "*ex-officio* member" means a member who is part of the committee by virtue of holding the office of Reeve or Deputy Reeve.

Reeve

Approval Date



PLANNING SERVICES

TO: Council
DATE: October 16, 2018
FILE: 03322005
SUBJECT: Redesignation Item – Ranch and Farm District to Agricultural Holdings District

DIVISION: 4
APPLICATION: PL20180052

¹POLICY DIRECTION:

The application was evaluated against the Agricultural policies of the County Plan, the Land Use Bylaw, and the Rocky View County/City of Calgary Intermunicipal Development Plan and was found to be non-compliant:

- The application is inconsistent with the policies of the Rocky View County/City of Calgary Intermunicipal Development Plan; and
- The application does not meet the definition of an agricultural first parcel out, or the definition of a new or distinct agricultural operation, and is therefore inconsistent with the County Plan and Intermunicipal Development Plan.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject land from Ranch and Farm District to Agricultural Holdings District in order to facilitate the creation of a ± 8.14 hectare (± 20.11 acre) parcel with a ± 8.14 hectare (± 20.11 acre) remainder.

The subject land does not fall within any established conceptual scheme or area structure plan. Administration determined that the application does not meet policy.

The application received first and second reading on September 25, 2018, and Council also set aside Policy 8.1.2 of the Rocky View County/City of Calgary Intermunicipal Development Plan (Bylaw C-7078-2018) with respect to Identified City of Calgary Growth Areas, and Policy 8.22 of the County Plan (Bylaw C-7210-2018) with respect to redesignation and subdivision for agricultural purposes.

CONCLUSION:

The subject land is not located within an area structure plan and was evaluated under the policies of the Rocky View County / City of Calgary Intermunicipal Development Plan and the County Plan. The application is not consistent with the definitions of distinct or new agricultural operations as defined by the County Plan, is not consistent with the criteria of Policy 8.22 of the County Plan, and is not consistent with Policy 8.1.2 of the Intermunicipal Development Plan. The proposed land use amendment is not consistent with the County Plan policies for the following reasons:

- The application does not meet the definition of an agricultural first parcel out, or the definition of a new or distinct agricultural operation, and is therefore inconsistent with the County Plan.
- The application is inconsistent with the policies of the Rocky View County/City of Calgary Intermunicipal Development Plan.

¹ Administration Resources

Sean MacLean, Planning & Development Services
Gurbir Nijjar, Engineering Services



OPTIONS:

Option # 1: THAT Bylaw C-7810-2018 be given third and final reading.

Option # 2: That application PL20180052 be refused.

Respectfully submitted,

Concurrence,

“Chris O’Hara”

“Rick McDonald”

General Manager

Interim County Manager

SM/rp

APPENDICES:

APPENDIX ‘A’: Original September 25, 2018, Staff Report Package



PLANNING SERVICES

TO: Council
DATE: September 25, 2018 **DIVISION:** 4
TIME: Afternoon Appointment
FILE: 03322005 **APPLICATION:** PL20180052
SUBJECT: Redesignation Item – Ranch and Farm District to Agricultural Holdings District

¹POLICY DIRECTION:

The application was evaluated against the Agricultural policies of the County Plan, the Land Use Bylaw, and the Rocky View County/City of Calgary Intermunicipal Development Plan and was found to be non-compliant:

- The application is inconsistent with the policies of the Rocky View County/City of Calgary Intermunicipal Development Plan; and
- The application does not meet the definition of an agricultural first parcel out or the definition of a new or distinct agricultural operation and is therefore inconsistent with the County Plan and Intermunicipal Development Plan.

EXECUTIVE SUMMARY:

The purpose of this application is to redesignate the subject land from Ranch and Farm District to Agricultural Holdings District in order to facilitate the creation of a ± 8.14 hectare (± 20.11 acre) parcel with a ± 8.14 hectare (± 20.11 acre) remainder.

The subject land does not fall within any established conceptual scheme or area structure plan area. Administration determined that the application does not meet policy.

DATE APPLICATION RECEIVED: May 10, 2018
DATE DEEMED COMPLETE: May 29, 2018

PROPOSAL: To create a ± 8.14 hectare (± 20.11 acre) parcel with a ± 8.14 hectare (± 20.11 acre) remainder parcel.
LEGAL DESCRIPTION: Block 1, Plan 9710832 within NE ¼ 22-23-28 W4M
GENERAL LOCATION: Located at the southwest junction of Highway 560 and Range Road 282.
APPLICANT: Konschuk Consulting (Larry Konschuk)
OWNERS: Linda Meyer
EXISTING LAND USE DESIGNATION: Ranch and Farm District (RF)
PROPOSED LAND USE DESIGNATION: Agricultural Holdings District (AH)
GROSS AREA: 16.28 hectares (40.24 acres)
SOILS (C.L.I. from A.R.C.): **Class 1 1** – No significant limitations.

¹ Administration Resources

Sean MacLean, Planning & Development Services
 Gurbir Nijjar, Engineering Services



Class 2T40 2D30 5N, W30 - Slight limitations due to adverse topography and low permeability and very severe limitations due excessive wetness/poor drainage and high salinity.

PUBLIC & AGENCY SUBMISSIONS:

No letters were received in response to 48 letters circulated to adjacent and area property owners when the application was received. The application was also circulated to a number of internal and external agencies. Those responses are available in Appendix 'A'.

HISTORY:

May 06, 1997 Subdivision Plan 9710832 was registered at Land Titles creating the subject property. Municipal Reserves were deferred for future dedication on the lands.

BACKGROUND:

The purpose of this application is to redesignate the subject lands from Ranch and Farm District to Agricultural Holdings District to allow for the subdivision of a ± 8.14 hectare (± 20.11 acre) parcel with ± 8.14 hectare (± 20.11 acre) remainder. The future subdivision is intended to create a new lot with development of a residential dwelling. No new or distinct agricultural use is proposed.

The subject land is located at the southwest junction of Highway 560 and Range Road 282. Most of the lands in the vicinity of the subject lands are agricultural in nature with some residential parcels to the east.

An existing residence and private riding arena are located at the south end of the subject property and would be contained within the proposed remainder parcel. The topography of the land is generally flat with a minor slope from the southeast to northwest. There are 24 wetlands identified on the subject lands, 15 of which are located within the boundaries of proposed Lot 1. However, there remains a significant area suitable for development within the proposed lot.

The existing residence is serviced by a water well and septic system, and the proposed new parcel would be serviced by similar means. Private sewage treatment system assessments, information to address potable water sources, stormwater management, access and road right-of-way requirements along Township Road 234 would be addressed at the subdivision application stage.

An approach on Range Road 282 provides access to the existing lands. A future approach would be required on Range Road 282 to facilitate access to proposed Lot 1. Access requirements would be addressed at the future subdivision stage.

Proposed Development:

The application is to accommodate a new single family dwelling. The Applicant/Owner plans to sell the remainder parcel and construct a new dwelling on Lot 1. As per a letter provided by the Applicant, the current type of agricultural operation of the lands would continue with the addition of a new dwelling on the newly created Lot 1.

POLICY ANALYSIS:

There is no area structure plan applicable to guide development proposals on the subject lands; therefore, the application was evaluated in accordance with the Rocky View County / City of Calgary Intermunicipal Development Plan, County Plan and the Land Use Bylaw.



Rocky View County / City of Calgary Intermunicipal Development Plan (Bylaw C-7078-2011):

The subject lands are located within the policy area of the IDP, particularly within an identified City of Calgary Future Industrial Growth Area. The policies of the IDP state that applications within the Growth Areas shall proceed in accordance with the County's statutory plans, which is the County Plan. The application does not meet the policies of the County Plan (Bylaw C-7280-2013) and therefore does not meet Policy 8.1.2 of the Intermunicipal Development Plan.

The application was circulated to the City of Calgary; a summary of their opposition to the proposal can be found in Appendix 'A'. The purpose of the future growth areas was to identify areas that the City may consider for possible future annexation from Rocky View County. As a result, the City's position is that the land should remain as unfragmented as possible.

County Plan (Bylaw C-7280-2013):

The application was evaluated with under the Agricultural Policies (Section 8) of the County Plan.

The overall goal of the County Plan with respect to agriculture is to preserve the municipality's agricultural land base as appropriate, avoid fragmentation of agricultural lands, and at the same time encourage business opportunities.

Section 8 of the County Plan provides for a variety of parcel sizes to accommodate a wide range of agricultural pursuits by acknowledging that emerging trends in agriculture may be successfully developed on smaller parcels of land.

The County Plan supports two (2) types of agricultural applications outside of adopted area structure plan areas:

- agricultural first parcel out; and
- new or distinct agricultural operation.

The subject lands have already been subdivided from the quarter section and therefore do not meet the definition of a first parcel out.

The proposal was also evaluated under the requirements of a new or distinct agricultural operation Policy 8.22. Redesignation for the purposes of a new or distinct agricultural operation is required to identify how the proposed agricultural use of the land is distinctly different than the current agricultural use of the land. The applicant has submitted that the agricultural use of the lands is not intended to change, and the application is to facilitate subdivision of the parcel for residential development.

The proposal therefore does not meet the definition of a new or distinct agricultural operation and is therefore inconsistent with the County Plan.

Land Use Bylaw (Bylaw C-4841-97):

The minimum parcel size for an Agricultural Holdings parcel is 8.10 hectares (20.01 acres), and as such, the proposed parcel meets the Land Use Bylaw provisions for size. The listed uses associated with the Agricultural Holdings District are similar to those listed in the Ranch and Farm District, which maintains a compatibility of uses in the area.

However, Alberta Transportation requested a 30 m service road to be registered on title by way of caveat on Lot 1. At the time the service road is constructed, Lot 1 would be reduced in area by approximately ± 0.61 hectares (± 1.51 acres). This would result in the parcel size Lot 1 being undersized by approximately ± 0.57 hectares (± 1.41 acres) or $\pm 7.04\%$.

Alberta Transportation also indicated that Highway 560 would be upgraded to a rural expressway / freeway in the future. This would impact access to the parcel and is estimated to further reduce the parcel size of Lot 1 by an additional ± 1.02 hectares (± 2.52 acres), which would effectively make Lot 1 undersized by approximately ± 1.59 hectares (± 3.93 acres) or 19.63% .

**CONCLUSION:**

The subject land is not located within an area structure plan and was evaluated under the policies of the Rocky View County / City of Calgary Intermunicipal Development Plan and the County Plan. The application is not consistent with the definitions of distinct or new agricultural operations as defined by the County Plan, is not consistent with the criteria of Policy 8.22 of the County Plan, and is not consistent with Policy 8.1.2 of the Intermunicipal Development Plan. The proposed land use amendment is not consistent with the County Plan policies for the following reasons:

- The application does not meet the definition of an agricultural first parcel out or the definition of a new or distinct agricultural operation and is therefore inconsistent with the County Plan.
- The application is inconsistent with the policies of the Rocky View County/City of Calgary Intermunicipal Development Plan.

OPTIONS:

- Option # 1:
- | | |
|-----------|---|
| Motion #1 | THAT Council sets aside Policy 8.1.2 of the Rocky View County / City of Calgary Intermunicipal Development Plan (Bylaw C-7078-2011) with respect to Identified City of Calgary Growth Areas for redesignation application PL20180052. |
| Motion #2 | THAT Council sets aside Policy 8.22 of the County Plan (Bylaw C-7210-2018) with respect to redesignation and subdivision for agricultural purposes for redesignation application PL20180052. |
| Motion #3 | THAT Bylaw C-7810-2018 be given first reading. |
| Motion #4 | THAT Bylaw C-7810-2018 be given second reading. |
| Motion #5 | THAT Bylaw C-7810-2018 be considered for third reading. |
| Motion #6 | THAT Bylaw C-7810-2018 be given third and final reading. |
- Option # 2: That application PL20180052 be refused.

Respectfully submitted,

Concurrence,

"Chris O'Hara"

"Rick McDonald"

General Manager

SM/rp

Interim County Manager**APPENDICES:**

APPENDIX 'A': Application Referrals

APPENDIX 'B': Bylaw C-7810-2018 and Schedule A

APPENDIX 'C': Map Set



APPENDIX A: APPLICATION REFERRALS

AGENCY	COMMENTS
<i>School Authority</i>	
Rocky View Schools	No objection.
Calgary Catholic School District	Not required for circulation.
Public Francophone Education	Not required for circulation.
Catholic Francophone Education	Not required for circulation.
<i>Province of Alberta</i>	
Alberta Environment	Not required for circulation.
Alberta Transportation	At the time of subdivision, a 30-metre wide service road right of way must be dedicated by survey plan across the highway frontage of the proposed parcel. Highway 560 will be upgraded to a rural expressway / freeway in the future. Access will become less convenient and more circuitous when this occurs.
Alberta Sustainable Development (Public Lands)	Not required for circulation.
Alberta Culture and Community Spirit (Historical Resources)	Not required for circulation.
Energy Resources Conservation Board	Not required for circulation.
Alberta Health Services	No objection.
<i>Public Utility</i>	
ATCO Gas	No objection.
ATCO Pipelines	No objection.
AltaLink Management	Not required for circulation.
FortisAlberta	No objection.
Telus Communications	No objection.
TransAlta Utilities Ltd.	Not required for circulation.
Rockyview Gas Co-op Ltd.	Not required for circulation.



AGENCY	COMMENTS
<i>Other External Agencies</i>	
City of Calgary	<p>The City of Calgary Administration cannot support a redesignation for this parcel. It is our opinion that this application is not in line with the objectives and intent of the Rocky View/Calgary Intermunicipal Development Plan.</p> <p>The subject parcel is located within an Identified City of Calgary Industrial Growth Area as per “Map 4: Growth Corridors/Areas” of the Rocky View/Calgary IDP.</p> <p>The mandate of the Identified City of Calgary Growth Areas is a vital part to strategically governing regional planning.</p> <p>If approved, the proposal sets a precedent for future redesignation and subsequent subdivision within the Calgary future urban growth corridor. Fragmented rural lands can be very challenging to transform into a functioning urban land use pattern. The challenges of transforming fragmented rural lands into an urban form include (but are not limited to):</p> <ul style="list-style-type: none"> • The increased impact imposed by fragmented ownership, roads, structures, and location of onsite • services, as well as topography, drainage, etc. • The practical effectiveness of structure planning approaches in controlling future forms of • development and achieving desired urban community outcomes. • The acquisition, collaboration and uncertainty involved in securing multiple parcels of sufficient • size to undertake a master planned development. • The liability of existing on-site servicing for small parcels.
EnCana Corporation	No comments received.
<i>Rocky View County</i>	
<i>Boards and Committees</i>	
Recreation Board	No comments received.
<i>Internal Departments</i>	
Municipal Lands	No concerns.
Development Authority	No comments received.
GeoGraphics	No comments received.
Building Services	No comments received.
Emergency Services	No concerns.



AGENCY	COMMENTS
Infrastructure and Operations- Engineering Services	<p>Geotechnical: No requirements at this time.</p> <p>Transportation: There are existing graveled approaches from Range Road 283 to both the proposed and remainder parcels</p> <p>As condition of future subdivision, the applicant is required to provide payment of the Transportation Offsite Levy in accordance with the applicable levy bylaw at time of subdivision approval for three (3) Acres of each the proposed and remainder parcels as they are proposed to be re-designated to the Agricultural Holdings (AH) District. The estimated levy payment in accordance with the current bylaw amounts to \$32,800 (Base + Special Area #7 Levy at 6 acres total)</p> <p>As per comments received from AT, at the time of future subdivision, the applicant will be required to provide a 30-metre wide service road ROW to be dedicated by plan of survey across the highway frontage of the proposed parcel</p> <p>Sanitary/Waste Water: At time of subdivision, the applicant will be required to provide a Level I PSTS Assessment, prepared by a qualified professional, to determine the suitability of the northern parcel to support a PSTS.</p> <p>At time of subdivision, the applicant is required to submit a level I assessment variation for the existing septic fields on both the proposed and remainder parcels describing the existing system type, maintenance requirements and include a sketch showing its location and size. The assessment shall also provide measurements to pertinent features (wetlands, surface water, wells, property lines, home, etc.) and comment on the general suitability of the existing system based on visual inspection. This assessment shall be prepared by the homeowner and shall be submitted prior to proceeding with subdivision</p> <p>Water Supply And Waterworks: The southern parcel is serviced by existing water well. ES has no further concerns.</p> <p>As a condition of future subdivision, the applicant will be required to drill a well within the boundaries of the northern parcel and provide the County with a Well Driller's Report confirming a minimum flow of 1 iGPM</p> <p>Storm Water Management: No requirements at this time.</p> <p>Environmental: No requirements at this time.</p>
Infrastructure and Operations- Maintenance	No comments received.
Infrastructure and Operations- Capital Delivery	No comments received.



AGENCY	COMMENTS
Infrastructure and Operations- Operations	No comments received.
Agriculture and Environmental Services - Solid Waste and Recycling	The redesignation of a parcel of land from Ranch and Farm District to Agricultural Holdings District is not supported by policy. If this application were to be approved, the application of the Agricultural Boundary Design Guidelines would be beneficial in buffering the residential land use from the agricultural land uses surrounding the parcel. The guidelines would help mitigate areas of concern including: trespass, litter, pets, noise and concern over fertilizers, dust & normal agricultural practices.

Circulation Period: June 1 – June 29, 2018



BYLAW C-7810-2018

A Bylaw of Rocky View County to amend Bylaw C-4841-97, being the Land Use Bylaw.

The Council of Rocky View County enacts as follows:

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-7810-2018.

PART 2 - DEFINITIONS

In this Bylaw, the definitions and terms shall have the meanings given to them in Land Use Bylaw C-4841-97 and the *Municipal Government Act*.

PART 3 – EFFECT OF BYLAW

THAT Part 5, Land Use Maps No. 33 and 33-NE of Bylaw C-4841-97 be amended by redesignating Block 1, Plan 9710832 from Ranch and Farming District to Business Agricultural Holdings District as shown on the attached Schedule 'A' forming part of this Bylaw.

THAT Block 1, Plan 9710832 is hereby redesignated to Agricultural Holdings District as shown on the attached Schedule 'A' forming part of this Bylaw.

PART 4 – TRANSITIONAL

Bylaw C-7810-2018 is passed when it receives third reading, and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the *Municipal Government Act*.

Division: 4
File: 03322005-PL20180052

PUBLIC HEARING WAS HELD IN COUNCIL this	day of	, 2018
READ A FIRST TIME IN COUNCIL this	day of	, 2018
READ A SECOND TIME IN COUNCIL this	day of	, 2018
UNANIMOUS PERMISSION FOR THIRD READING	day of	, 2018
READ A THIRD TIME IN COUNCIL this	day of	, 2018

Reeve

CAO or Designate

Date Bylaw Signed

BYLAW: C-7810-2018

560

RF →
AH
± 16.28 ha
(± 40.24ac)

RGE RD 282

AMENDMENTFROM Ranch and Farm District TO Agricultural Holdings District

Subject Land _____

LEGAL DESCRIPTION: Block, Plan 9710832
within NE-22-23-28-W04M

FILE: 03322005- PL20180052

DIVISION: 4



ROCKY VIEW COUNTY
Cultivating Communities

AGENDA

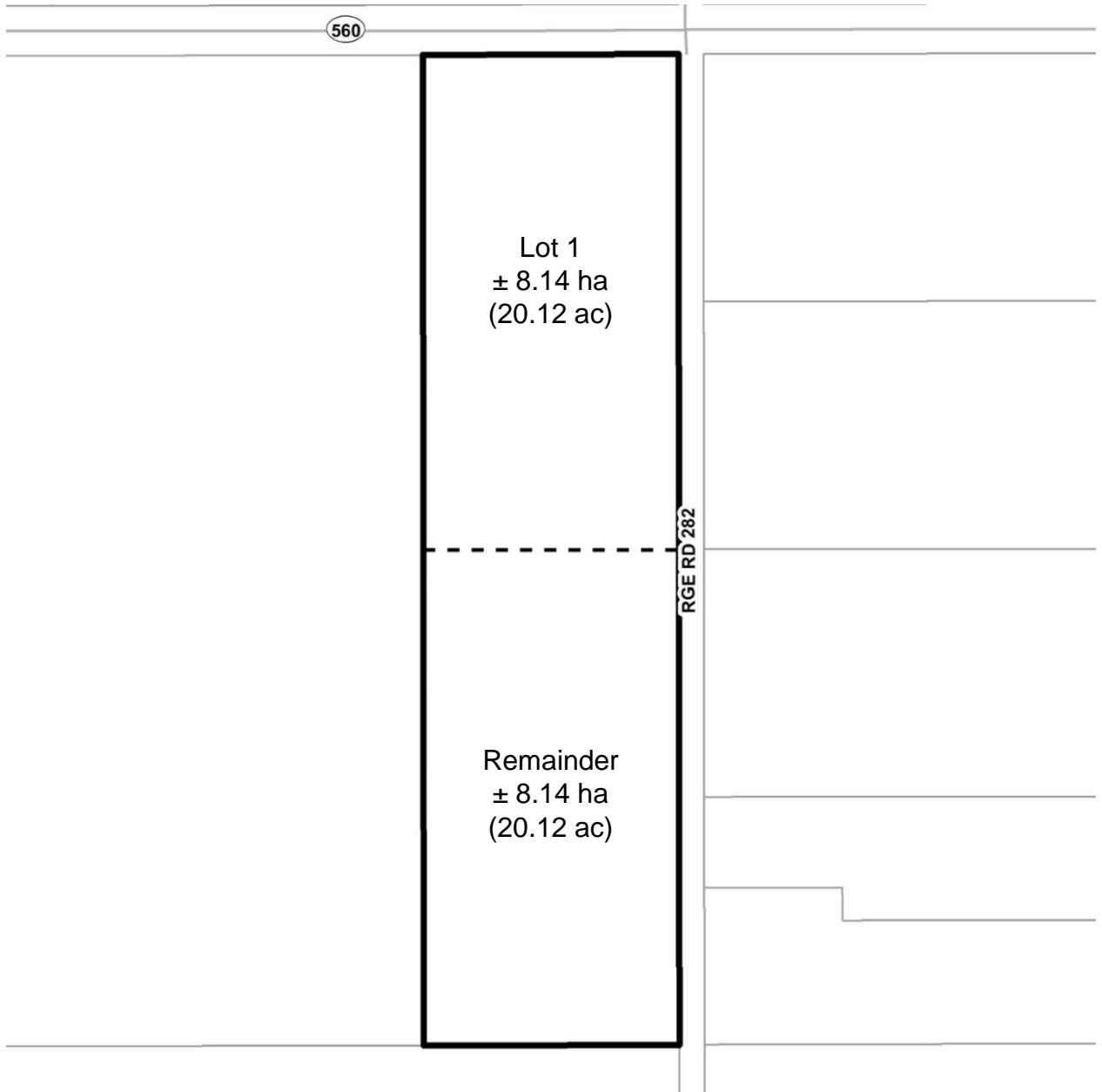
Page 47 of 93



Page 48 of 93

Redesignation Proposal: To redesignate the subject lands from Ranch and Agricultural District to Agricultural Holdings District to accommodate the subdivision of the lands into two 8.14 ha (20.12 ac) parcels

Page 14 of 20



DEVELOPMENT PROPOSAL

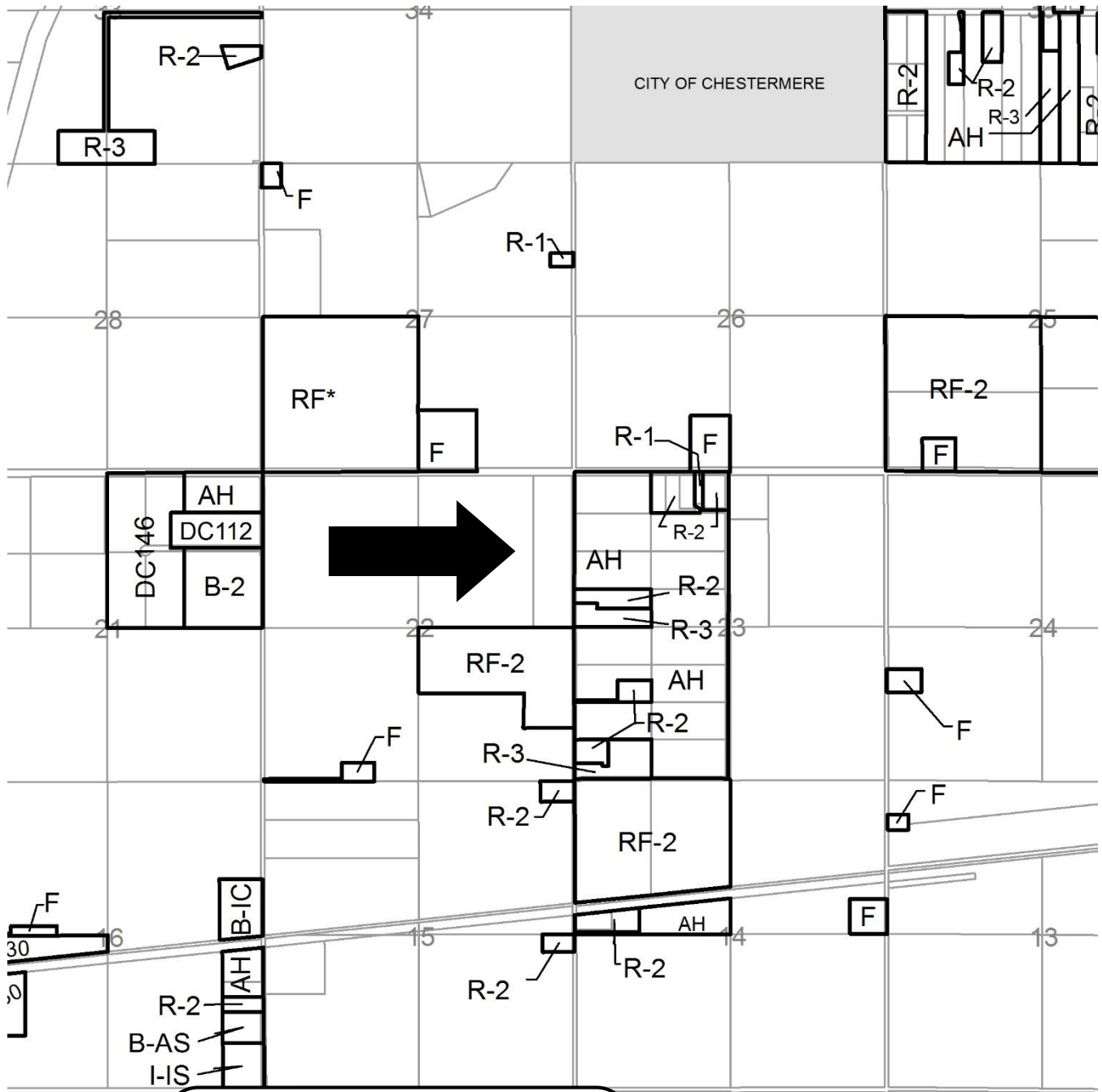
Block:1 Plan:9710832
NE-22-23-28-W04M

Date: May 22, 2018

Division # 4

File: 03322005**AGENDA**

Page 49 of 93



LAND USE MAP

Block:1 Plan:9710832

NE-22-23-28-W04M

Date: May 22, 2018

Division # 4

File: 03322005

AGENDA

Page 50 of 93





Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.

AIR PHOTO

Spring 2016

Block:1 Plan:9710832
NE-22-23-28-W04M

Date: May 22, 2018

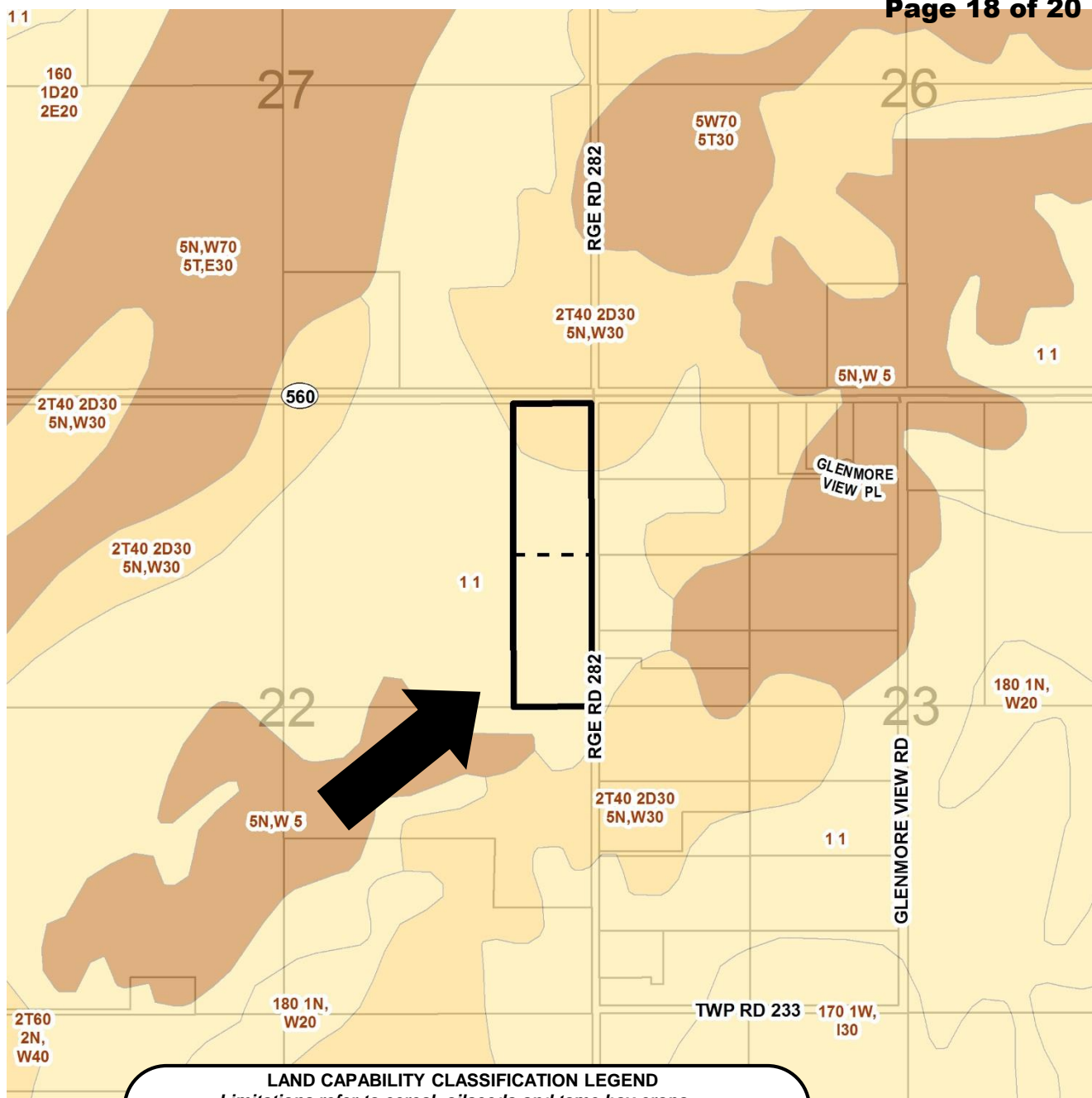
Division # 4

File: 03322005

AGENDA

Page 52 of 93





LAND CAPABILITY CLASSIFICATION LEGEND

Limitations refer to cereal, oilseeds and tame hay crops

CLI Class

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

Limitations

- | | |
|---|-------------------------------------|
| B - brush/tree cover | N - high salinity |
| C - climate | P - excessive surface stoniness |
| D - low permeability | R - shallowness to bedrock |
| E - erosion damage | S - high sodicity |
| F - poor fertility | T - adverse topography |
| G - Steep slopes | U - prior earth moving |
| H - temperature | V - high acid content |
| I - flooding | W - excessive wetness/poor drainage |
| J - field size/shape | X - deep organic deposit |
| K - shallow profile development | Y - slowly permeable |
| M - low moisture holding, adverse texture | Z - relatively impermeable |

SOIL MAP

Block:1 Plan:9710832
NE-22-23-28-W04M

Date: May 22, 2018

Division # 4

File: 03322005

AGENDA

Page 53 of 93

**Legend – Plan numbers**

- First two numbers of the Plan Number indicate the year of subdivision registration.
- Plan numbers that include letters were registered before 1973 and do not reference a year

HISTORIC SUBDIVISION MAP

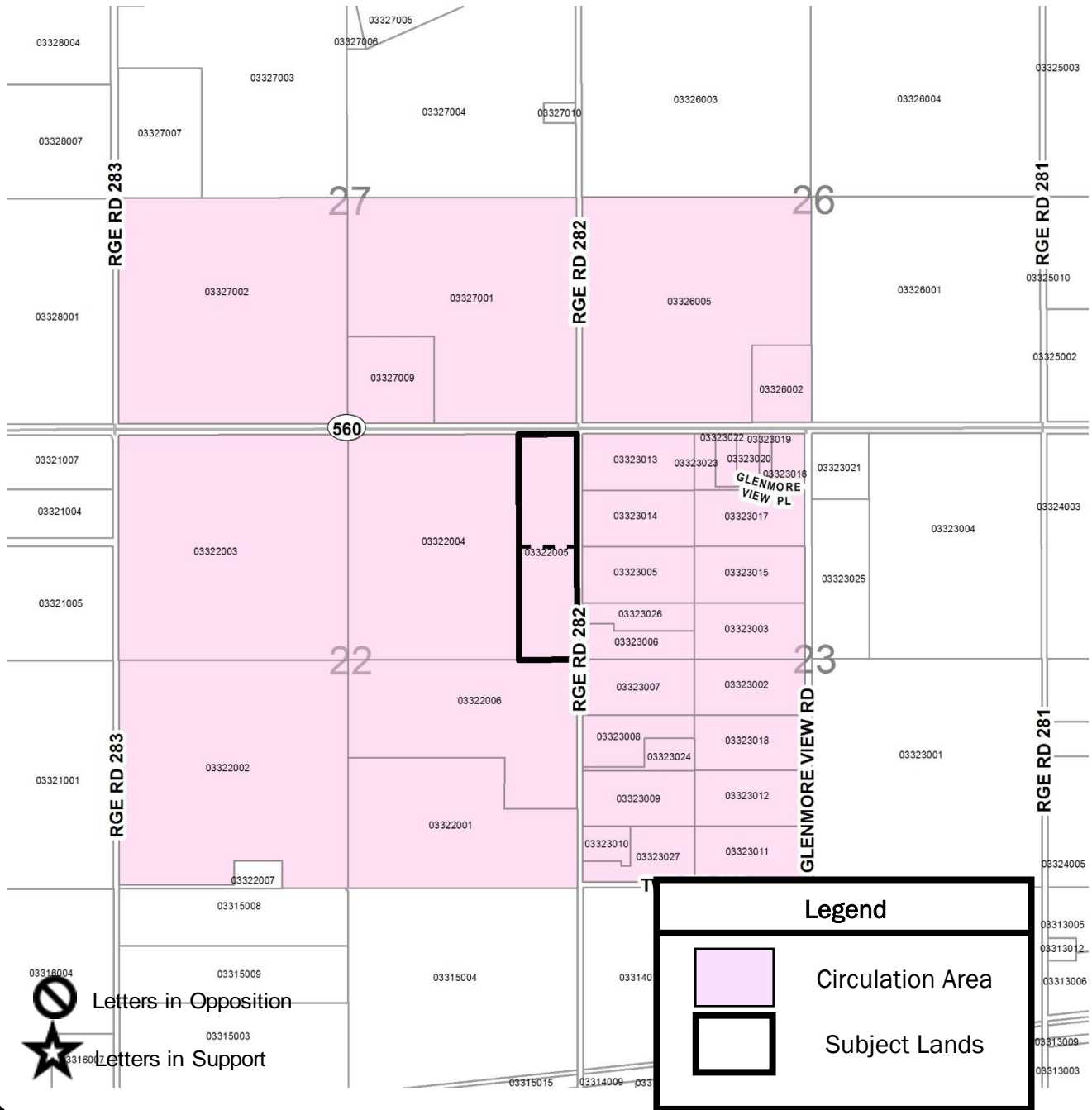
Block:1 Plan:9710832
NE-22-23-28-W04M

Date: May 22, 2018

Division # 4

File: 03322005**AGENDA**

Page 54 of 93



LANDOWNER CIRCULATION AREA

Block:1 Plan:9710832

NE-22-23-28-W04M

Date: May 22, 2018

Division # 4

File: 03322005

AGENDA

Page 55 of 93

LEGISLATIVE AND LEGAL SERVICES

TO: Council
DATE: October 16, 2018 **DIVISION:** All
FILE: N/A
SUBJECT: *Cannabis Consumption Bylaw*

¹POLICY DIRECTION:

This item is being brought before Council at the direction of the Policy and Priorities Committee (PPC), which passed the following motion at its October 2, 2018 meeting:

MOVED by Councillor Schule that the Cannabis Consumption Bylaw be brought to a future Council meeting for consideration.

Carried

EXECUTIVE SUMMARY:

At the October 2, 2018 PPC meeting, the discussion was as follows:

- Some members expressed support for a strict approach to regulation, including:
 - no public consumption of cannabis; and
 - no consumption of cannabis at special events in the County.
- Some members expressed support for a limited approach to regulation, which would mean that the federal and provincial legislation would govern.
- Some members suggested increasing the fines for consumption in a public place, and at special events from \$100 to \$500 for the specified penalty, and from \$50 to \$150 for the minimum penalty.
- There was also some discussion about including edible cannabis products into the bylaw.

Should a Councillor wish to move these amendments to the bylaw, Administration has motions prepared for Council's consideration.

DISCUSSION:

Legalization

On October 17, 2018, cannabis consumption will become legal in Canada in the following circumstances:

- 18 years of age or older;
- Obtained from licensed stores and authorized retailers;
- Four plants per household; and
- 30 grams is the most you can buy or carry at a time.

The Alberta government has further regulated cannabis consumption by:

- Banning public consumption in areas frequented by children;
- Banning consumption of cannabis within vehicles;

¹**Administration Resources**

Angie Keibel, Legislative and Legal Services



- Setting location restrictions with buffers for schools, daycares, hospitals, and community centres;
- Growing of cannabis at home must be done indoors; and
- All staff at cannabis retailers must be 18 or older, and must check that purchasers are over 18.

Municipalities now have an opportunity to consider additional regulations on cannabis consumption, as follows:

- Deciding where retail, production, and growing of cannabis can occur (amendments to the Rocky View County *Land Use Bylaw* were passed on September 11, 2018; and
- Further regulation of public consumption.

Proposed Cannabis Consumption Bylaw

Option 1 – Light regulation (RVC uses provincial regulations)

Provincial regulations on cannabis consumption will apply regardless of whether the County adopts its own regulations. If the County chooses not to further regulate consumption, the same provincial prohibitions on smoking tobacco (found in section 3 of the *Tobacco and Smoking Reduction Act*) will apply. Provincial tobacco prohibitions include:

- Public places (only applies to buildings and enclosed areas), workplaces, vehicles with minors present, in public vehicles (buses, trains, etc.), and near doorways, windows, and air intakes

In addition, the provincial government has added further regulations that will prohibit cannabis consumption in the following areas:

- On any provincial hospital, school, or childcare facility grounds;
- Within any prescribed distance from playground, sports fields, skateboard and bike parks, zoos, outdoor theatres, and outdoor pools and splash parks;
- From any motor vehicle (not just with minors present), with the exception of parked RVs; and
- At any cannabis retail outlet.

Option 2 – Moderate regulation (RVC adds to provincial regulations)

The County could choose to adopt additional cannabis consumption prohibitions in select areas on top of the provincial regulations. Public areas that are not covered by provincial regulations include parks, hiking trails, and sidewalks.

Similar to the County's *Firearms Bylaw*, the County could enact additional regulations only in certain areas (such as within hamlet boundaries). The City of Edmonton, for example, has passed second reading on a cannabis consumption bylaw that would include prohibitions in only a few additional areas not included in the provincial regulations, including:

- Patios, city-owned golf courses, near bus stops, Churchill Square, Edmonton Valley Zoo, Muttart Conservatory, John Janzen Nature Centre, and any parks with amenities for children (playgrounds, outdoor pools, sports fields, off-leash areas).

The City has since referred the bylaw for more public engagement on consumption in high-traffic commercial areas (ex. Whyte Ave and Jasper Ave) prior to third reading.

Option 3 – Strict regulation (RVC bans public consumption)

The County could choose to regulate cannabis consumption by only allowing it within a private residence.



The proposed *Cannabis Consumption Bylaw* would prohibit any public cannabis consumption within Rocky View County, such as golf courses, Calaway Park, and off-leash dog parks. The bylaw would also prohibit cannabis consumption at special events, like concerts and festivals. The penalties for violation would be up to \$100 per offence.

Residents would still be able to vape or smoke cannabis within properties that are personally owned or rented. The smoke produced from cannabis consumption on private property would be viewed in the same way as smoke from a cigarette or a firepit – although it may be annoying to some, it is legal.

Consumption of cannabis edibles has not been written into the proposed bylaw because edibles are still illegal under the federal legislation. The same goes for cannabis cafes or smoking lounges – they are not legal and therefore, they are not included in the proposed bylaw.

Other Municipalities

City of Calgary:

- No public consumption allowed;
- Considering adding designated consumption areas;
- Creating a process to allow designated cannabis consumption areas at festivals and events.

Town of Cochrane

- No public consumption allowed.

City of Edmonton

- Consumption is allowed in some parks and trails.

City of Leduc

- No public consumption allowed.

Public Consultation

From June 29 to July 30, 2018, the County accepted submissions from residents with regard to recreational cannabis regulation. The County received 1,212 responses. Two of the questions were specific to cannabis consumption, as follows:

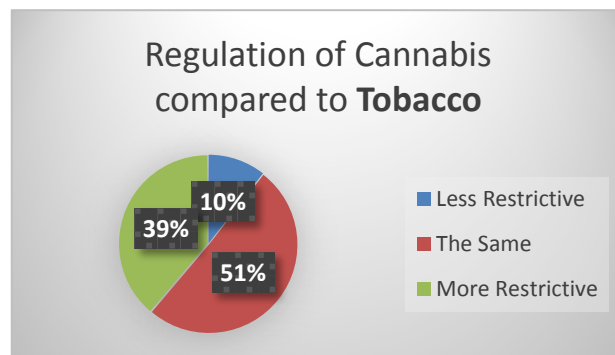
Smoking vs Cannabis

Question:

Smoking is regulated by the Province of Alberta's Tobacco and Smoking Reduction Act. Smoking is not allowed in enclosed public places, workplaces, in vehicles with minors, in public vehicles, or within a prescribed distance from a building.

How do you feel public consumption of recreational cannabis should be regulated in the County compared to the consumption of tobacco.

- | | |
|---|----------|
| <input type="checkbox"/> Less restrictive | (3.59%) |
| <input type="checkbox"/> The same | (37.65%) |
| <input type="checkbox"/> More restrictive | (58.76%) |





Rocky View County currently does not have a smoking bylaw. As a result, smoking is regulated only by the *Tobacco and Smoking Reduction Act*, SA 2005, c T-3.8. In that Act, smoking is prohibited in public buildings, in workplaces, in a vehicle where a minor is present, in a public vehicle, or within a prescribed distance from a doorway. It does not prohibit smoking in public parks or open areas.

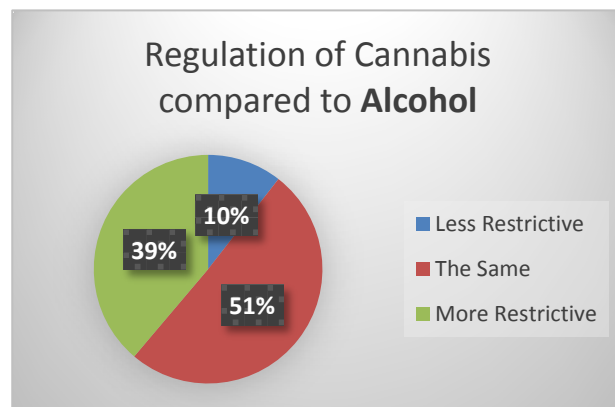
Alcohol vs Cannabis

Question:

The public consumption of alcohol is regulated by the Gaming and Liquor Act. Consumption is only allowed within a licensed area or private residence.

How do you feel public consumption of recreational cannabis should be regulated in the County compared to the consumption of liquor.

- ☐ Less restrictive (10.55%)
- ☐ The same (50.64%)
- ☐ More restrictive (38.82%)



The *Gaming, Liquor and Cannabis Act*, RSA 2000, c G-1 was amended on June 27, 2018 and prohibits consumption of liquor in any place other than a licensed establishment or in a private residence.

Penalties

Throughout history, societies have imposed punishments for a variety of objectives. The most common objective is control or prevention of an unwanted behavior.

Some people feel that the punishment should flow from the offence. In other words, the guilty deserve to suffer, and it is up to the government to deliver that punishment. Inherent in this belief is the idea that the offence must be met with a proportionate penalty, not a lesser one than is deserved, nor a harsher one. It suggests that punishments for offences be harsher where the harm of the behavior is worse. For example, drunk driving is punished more harshly than failure to wear a seatbelt, because you could harm someone else while driving drunk, but you would only harm yourself if you failed to wear a seatbelt.

Others believe that the punishment should be focused on the need to produce some effect on the offender, and thereby on society. One of these effects is deterrence. The idea of deterrence is that the offender will choose not to act this way, because they do not want to be punished. The punishments should therefore be in relation to their ability to deter someone from a behavior.

In applying these theories to the fines for consuming cannabis in public, Council may wish to consider a merged approach. To do this, you would consider the fine for cannabis consumption in relation to other fines to ensure it is proportionate to the harms it produces. Then consider the deterrence effect of the fine.

The proposed bylaw sets out two different types of fines: specified penalties and minimum penalties. Specified penalties can be paid without a court appearance. Minimum penalties are the lowest amount that a judge can set while in court. The proposed bylaw also allows an officer to require the offender to attend court for sentencing, at which point the judge has discretion to impose an even higher penalty, so long as it is less than \$10,000.



To help Council consider where this fine fits in the scheme of Rocky View County fines, see the below table:

Bylaw Offence	Specified and Minimum Penalty
Animal running at large	\$250
Animal cause damage or death of another animal	\$1,000
Vehicle noise offence	\$400
Non-vehicle noise offence	\$200
Unsightly premises	\$500

To help Council consider where this fine fits in the scheme of Cannabis Consumption Bylaws in other municipalities, see the below table:

Municipality	Fine
City of Calgary	\$100 (\$50 minimum)
City of Airdrie	\$250 (specified penalty for individuals) \$1,000 (specified penalty for corporations)
Regional Municipality of Wood Buffalo	\$250
City of St. Albert	\$250
City of Lethbridge	\$250

The proposed bylaw sets the specified penalty at \$100, and the minimum penalty at \$50. These are the same as Calgary, but lower than other municipalities. It is also lower than other fines for County bylaw offences.

Council could also consider adding a higher penalty for repeat offenders. This approach to punishment is based on the idea of aggravating and mitigating factors. For example, if someone is a first time offender, the conviction itself will likely deter them from future offences. However, for someone with multiple offences, it suggests a need for additional deterrence.

Aggravating and mitigating factors also affect sentencing if the matter proceeds to court. At court, the judge can consider prior good character, guilty plea, remorse. The judge might also consider whether the fine would have indirect consequences on the offender. For example, a wealthy offender is less likely to be affected by a fine than a destitute offender.

BUDGET IMPLICATIONS:

There are no budget implications at this time.



OPTIONS:

- Option #1: Motion #1: THAT Bylaw C-7832-2018 be given first reading.
 Motion #2: THAT Bylaw C-7832-2018 be given second reading.
 Motion #3: THAT Bylaw C-7832-2018 be considered for third reading.
 Motion #4: THAT Bylaw C-7832-2018 be given third and final reading.
Option #2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

“Kent Robinson”

“Rick McDonald”

General Manager

Interim County Manager

ADK

ATTACHMENTS:

- Attachment ‘A’ – Draft Rocky View County Bylaw, *Cannabis Consumption Bylaw*
Attachment ‘B’ – AHS Recommendations on Cannabis Regulations for Alberta Municipalities
Attachment ‘C’ – Public Consultation Results



BYLAW C-7832-2018

A Bylaw of Rocky View County, in the Province of Alberta, to regulate the consumption of cannabis within Rocky View County.

The Council of Rocky View County, in the Province of Alberta, duly assembled, enacts as follows:

PURPOSE AND TITLE

- 1 The purpose of this bylaw is to impose additional restrictions on the public consumption of cannabis within the geographic boundaries of Rocky View County, over and above the restrictions in the *Controlled Drugs and Substances Act* and the *Gaming, Liquor and Cannabis Act*.
- 2 This bylaw may be referred to as the “*Cannabis Consumption Bylaw*.”

DEFINITIONS

- 3 In this Bylaw, the following definitions apply:
 - (1) “**Cannabis**” has the same meaning as in the *Controlled Drugs and Substances Act*;
 - (2) “**Chief Administrative Officer**” or “**County Manager**” means the Chief Administrative Officer of Rocky View County;
 - (3) “**Controlled Drugs and Substances Act**” means the *Controlled Drugs and Substances Act*, SC 1996, c 19 as amended or replaced from time to time.;
 - (4) “**Council**” means the duly elected Council of Rocky View County;
 - (5) “**Council Policy**” means policies that are approved by Council, provide strategic direction on programs and services delivered by the County, primarily impact and address residents of the County, provide an official position on plans to govern the people of the County, and are within Council's jurisdiction under the *Municipal Government Act*;
 - (6) “**County**” means Rocky View County and its jurisdictional boundaries;
 - (7) “**Electronic Smoking Device**” means an electronic device that can be used to deliver a vapour, emission, or aerosol to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe;
 - (8) “**Event**” means any public or private event, gathering, celebration, festival,

competition, contest, exposition, or similar type of activity including, but not limited to, the following types of events:

- (a) music festivals or concerts, including live and/or pre-recorded music and professional and/or amateur performers;
 - (b) dances and dance parties, including live and/or pre-recorded music and professional and/or amateur performers;
 - (c) weddings;
 - (d) circuses;
 - (e) parades;
 - (f) trade shows;
 - (g) promotional displays;
 - (h) laser shows;
 - (i) Fireworks and Pyrotechnic displays;
 - (j) expositions;
 - (k) exhibitions;
 - (l) athletic or sports events, walkathons, meets and contests;
 - (m) shows, trials, races, and other competitive events;
 - (n) rodeos; and
 - (o) any other private or public function;
- (9) **“Enforcement Officer”** means a member of the Royal Canadian Mounted Police (R.C.M.P.), a Community Peace Officer appointed by the Solicitor General of Alberta in accordance with the *Peace Officers Act*, SA 2006, c P-3.5, or a Bylaw Enforcement Officer employed by Rocky View County in accordance with the *Municipal Government Act*;
- (10) ***Gaming, Liquor and Cannabis Act*** means the *Gaming, Liquor and Cannabis Act*, RSA 2000, c G-1 as amended or replaced from time to time;
- (11) ***Municipal Government Act*** means the *Municipal Government Act*, RSA 2000, c M-26 as amended or replaced from time to time;
- (12) **“Public Place”** includes any place to which the public has access as of right or by invitation, express, or implied;

(13) **“Smoke” or “Smoking”** means:

- (a) inhaling or exhaling the smoke produced by burning or heating Cannabis; or
- (b) holding or otherwise having control of any device or thing containing lit or heated Cannabis;

(14) **“Vape” or “Vaping”** means:

- (a) inhaling or exhaling the vapour, emissions, or aerosol produced by an Electronic Smoking Device or similar device containing Cannabis; or
- (b) holding or otherwise having control of an Electronic Smoking Device that is producing vapour, emissions or aerosol from Cannabis.

PROHIBITION

- 4 A person must not Smoke, Vape, or otherwise consume Cannabis in any Public Place, including Parks, Municipal Reserves, Environmental Reserves, etc. within the geographic boundaries of Rocky View County.
- 5 A person must not Smoke, Vape, or otherwise consume Cannabis at any Event, except when that Event is held indoors in a private residence.
- 6 This bylaw does not apply to a person who is entitled to possess Cannabis according to a medical document provided by a health care practitioner to a person who is under their professional treatment in accordance with *Access to Cannabis for Medical Purposes Regulations*, SOR/2016-230.

GENERAL PENALTY PROVISION

- 7 In accordance with the *Municipal Government Act*, any person that violates any provision of this Bylaw is guilty of an offence and is liable, upon conviction, to a maximum fine of \$10,000.00 or, in default of payment of the fine, to imprisonment for a period not exceeding one year, or to both fine and imprisonment in such amounts.

OFFENCES

- 8 A Person who violates any provision of this Bylaw is guilty of an offence and is liable, upon conviction, to a specified penalty as set out in Schedule 'A' of this bylaw. If there is no specified penalty listed in Schedule "A" for a particular offence, the specified penalty shall be \$1,000.00.
- 9 Where there is a minimum penalty listed for an offence in Schedule 'A' of this Bylaw, that amount shall be the minimum penalty for that offence. If there is no minimum penalty listed in Schedule 'A' for a particular offence, the minimum penalty shall be \$500.00.

ENFORCEMENT

- 10 Where an Enforcement Officer has reasonable grounds to believe that a Person has violated any provision of this Bylaw, the Enforcement Officer may commence Court proceedings against such Person by:
- (1) issuing the Person a Violation Ticket pursuant to the provisions of the *Provincial Offences Procedure Act*; or
 - (2) swearing out an information and complaint against the Person.
- 11 Where an Enforcement Officer issues a Person a Violation Ticket in accordance with section 9, the Enforcement Officer may either:
- (1) allow the Person to pay the specified penalty established in Schedule "A" of this Bylaw for the offence by including the penalty in the Violation Ticket; or
 - (2) require a Court appearance of the Person where the Enforcement Officer believes that it is in the public interest pursuant to the *Provincial Offences Procedure Act*.
- 12 No provision of this Bylaw, nor any action taken pursuant to any provision of this Bylaw, shall in any way restrict, limit, prevent, or preclude the County from pursuing any other remedy in relation to an offence as may be provided by the *Municipal Government Act* or any other law of the Province of Alberta.

OBSTRUCTION

- 13 Any Person who obstructs, hinders, or impedes an Enforcement Officer, designated officer, or County employee, contractor, or agent in the exercise of any of their powers or duties under this bylaw, or knowingly makes a frivolous, malicious, or vexatious complaint pursuant to this bylaw, is guilty of an offence.

POWERS OF CHIEF BYLAW ENFORCEMENT OFFICER

- 14 Without restricting any other power, duty, or function granted by this bylaw, the Chief Administrative Officer may:
- (1) establish investigation and enforcement procedures for the purposes of this bylaw;
 - (2) establish forms for the purposes of this bylaw;
 - (3) delegate any powers, duties, or functions under this bylaw to an employee of the County.

STRICT LIABILITY OFFENCE

- 15 It is the intention of Council that all offences created by this bylaw are to be interpreted as strict liability offences.

SEVERABILITY

- 16 Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a court of competent jurisdiction, all other provisions of this bylaw will remain valid and enforceable.

REPEAL AND EFFECTIVE DATE

- 17 Bylaw C-7832-2018 is passed and shall come into full force and effect when it has received third reading, is signed by the Reeve or Deputy Reeve and Chief Administrative Officer or designate in accordance with the *Municipal Government Act*, and not before October 17, 2018.

READ A FIRST TIME IN COUNCIL this _____ day of _____, 2018

READ A SECOND TIME IN COUNCIL this _____ day of _____, 2018

UNANIMOUS PERMISSION FOR THIRD READING _____ day of _____, 2018

READ A THIRD TIME IN COUNCIL AND PASSED this _____ day of _____, 2018

Reeve

County Manager or Designate

Date Bylaw Signed

SCHEDULE 'A'
SPECIFIED AND MINIMUM PENALTIES

Section Reference	Description	Specified Penalty	Minimum Penalty
GENERAL PROHIBITION			
4	Consume Cannabis in a Public Place	\$100	\$50
5	Consume Cannabis at an Event	\$100	\$50
OBSTRUCTION			
12	Obstruction	\$500	\$250

AHS Recommendations on Cannabis Regulations for Alberta Municipalities

Prepared on behalf of AHS by: Dr. Gerry Predy, Senior Medical Officer of Health/Senior Medical Director – Population, Public and Indigenous Health

The following includes information and recommendations that will help municipalities make cannabis policy decisions that promote and protect the health of its citizens. Alberta Health Services (AHS) supports an evidence-informed public health approach (Chief Medical Officers of Health of Canada, 2016) that considers health and social outcomes in the development of municipal cannabis policies and bylaws. Lessons learned from tobacco and alcohol have also been used to inform these positions.

SUMMARY OF RECOMMENDATIONS

Overall

Where evidence is incomplete or inconclusive, AHS is advising that a precautionary approach be taken to minimize unintended consequences. This approach is consistent with the recommendations of Federal Taskforce on the Legalization and Regulation of Cannabis (Government of Canada, 2016).

Business Regulation & Retail

- Limit the number of cannabis stores, and implement density and distance controls to prevent stores from clustering, while also keeping buffer zones around well-defined areas where children and youth frequent.
- Consider requirements for cannabis education and community engagement as part of the business licensing approval process.
- Limit hours of operation to limit availability late at night and early morning hours.
- Restrict signage and advertising to minimize visibility to youth.

Consumption

- Ban consumption in areas frequented by children.
- Align the cannabis smoking regulations with the *Tobacco and Smoking Reduction Act* and/or with your municipal regulations, whichever is more stringent.
- Ban smoking, vaping and water pipes in public indoor consumption venues.

Home growing

- Design a process to ensure households and properties are capable of safely supporting home growing.

Multi-Unit Housing:

- Health Canada (2017) has recommended a ban on smoking in multi-unit housing. AHS recognizes that there are potential health risks associated with second-hand smoke within multi-unit housing environments and therefore recommends municipalities consider bylaws that ban smoking in multi-unit housing.

Research and Evaluation

- Ensure mechanisms to share data across sectors and levels of government are established, and appropriate indicators are chosen to monitor the impacts of policy implementation on communities.

DETAILED RECOMMENDATIONS

The following sections provide evidence and additional details for each of the above recommendation areas.

Overall

Overall, AHS encourages municipalities to proceed with caution for two reasons. First, there is little reliable and conclusive evidence to support what safe cannabis use looks like for individuals and communities. Second, it's easier to prevent future harms, by removing regulations in the future once more knowledge exists, than it is to later add regulation. (Canadian Centre for Substance Abuse, 2015; Chief Medical Officers of Health of Canada, 2016).

Evidence shows commercialization of alcohol and tobacco has resulted in substantial population level morbidity and mortality as well as community level harms. This is of particular importance because adding cannabis use to a community adds multifactorial relationships to already existing social issues, as we know co-use or simultaneous use of cannabis, alcohol and/or tobacco, in some kind of combination is common (Barrett et al. 2006; Canadian Centre for Substance Abuse, 2007; Subbaraman et al. 2015). For example, simultaneous use of alcohol and cannabis has been found to approximately double the odds of impaired driving, social consequences, and harms to self (Subbaraman et al. 2015). According to AHS treatment data, of those using AHS Addiction Services, more than half used cannabis, and of those who use cannabis, 90% have used alcohol and 80% have used tobacco (Alberta Health Services, 2017). Further evidence indicates that legalization of cannabis may have negative impacts related to resource utilization, law enforcement and impaired driving cases, and self-reported cannabis-related risk factors and other substance use (Health Technology Assessment Unit, 2017).

Business Regulations & Retail Sales

Location and Number of Stores

Alberta Health Services recommends municipalities strengthen zoning regulations by using a combination of population and geographic based formulas to restrict the number and location of cannabis outlet licenses. In particular AHS recommends that municipalities:

- Limit the number of business licenses issued in the first phases of implementation.
- Implement a 300-500m minimum distance restriction between cannabis retail outlets
- Implement a 300m distance between cannabis stores and schools, daycares and community centers.
- Implement a 100m minimum distance from tobacco and liquor retailers, in addition to a square kilometer density restriction, adjusted for population, at the onset of legalization.
- Note: additional analysis may be needed to ensure that unintended consequences do not negatively impact existing communities (e.g., clustering, social and health harms, vulnerable populations).

Between 1993 (just before privatization) and 2016, there was a 600% increase in the number of liquor stores in Alberta (208 stores in 1993, 1,435 stores in 2016). Privatization has also resulted in drastic product proliferation, with an increase from 2,200 products in 1993 to 23,072 products in 2016 (AGLC, 2016). Without more restrictive cannabis regulations, business owners will demand and industry will deliver a greater variety of cannabis products, likely resulting in an expansion of consumption in communities across Alberta. U.S. researchers predict a doubling of consumption rates over time as a result of legalization, which means an estimated 40 billion more hours of intoxication in the US (Caulkins, 2017). A privatized system without initial restrictive regulation will likely follow similar trends in Alberta, resulting in significant health and social impacts on communities.

Density limits reduce neighbourhood impacts and youth access (Canadian Centre for Substance Abuse, 2015; Freisthler & Gruenewald, 2014). Research on alcohol and tobacco use highlights the need for stronger controls on density and minimum distances (Ammerman et al., 2015; Chen, Gruenewald & Remer, 2009; Livingston, 2011; Popova et al., 2009; Rowland et al., 2016;) For example, the physical availability of medicinal marijuana dispensaries impact current use and increase frequent use (Morrison et al., 2014). Similarly with liquor stores, higher densities are associated with high-risk consumption behaviours—especially among youth, facilitating access and possession by adolescents, as well as increased rates of violence and crime (Ammerman et al., 2015). In addition, U.S. researchers have found that medical cannabis outlets are spatially associated with market potential which points to a form of “environmental injustices in which socially disadvantaged are disproportionately exposed to problems.” Therefore, jurisdictions should ensure that communities with fewer resources (e.g., low income, unincorporated areas) are not burdened with large numbers of stores and prevent clustering among liquor, tobacco and cannabis stores (Morrison et al., 2014). Other US research shows that zoning laws for location are an effective way to prevent overpopulation of cannabis stores in undesirable areas (Thomas & Freisthler, 2016). Summary tables of some US state and city buffer zones can be found in Nementh and Ross (2014).

It is clear that locating cannabis stores away from schools, daycares and community centers is essential to protecting children from the normalization of Cannabis use (Rethinking Access to Marijuana, 2017). Therefore, municipalities should ensure that all provincially recognized types of licensed and approved childcare options are included in their regulations. For example, daycare facilities, account for 39.9% of licensed childcare spaces in the province. Pre-schools, out-of-school programs, family day-homes, innovative child care, and group family child care programs account for the remaining 60% of licensed child care in the province.² Through business licensing and zoning, municipalities have the opportunity to protect all childcare spaces by including these locations in local buffer zones. Many preschools and childcare facilities are already located in strip malls or community associations or churches adjacent to liquor outlets (bars or liquor stores). Cannabis stores should not be allowed to be located within a buffer zone of any type of childcare facility or school. AHS also suggests that municipalities include other places that children and youth frequent as part of minimum distance bylaws such as parks, churches, and recreation facilities (Canadian Centre for Substance Abuse, 2015; Rethinking Access to Marijuana, 2017).

Business/Development License Application Processes

AHS suggests that a cannabis education component and community engagement plan be added to the application processes for retail marijuana business licenses. As cannabis legalization is complex, there are many new legal implications, and potential health and community impacts. Potential business owners should demonstrate a base knowledge of cannabis safe use and health harms, as well as the new rules. It is also important to foster a healthy relationship between cannabis retailers and the community with the common goal of healthy community integration. The City of Denver has implemented a community engagement requirement where applicants must list all registered neighborhood organizations whose boundaries encompass the store location and outline their outreach plans. Applicants must also indicate how they plan to create positive impacts in the neighbourhood and implement policies/procedures to address concerns by residents and other businesses (City of Denver, 2017).

Municipalities are encouraged to require applicants to outline proper storage and disposal of chemicals, as well as proper disposal of waste products. In addition, applicants should outline how they will be managing odor control to prevent negative impacts on neighbours.

Hours of Operation

AHS recommends restricting hours of operation as a means to reduce harms to communities (Rethinking Access to Marijuana, 2017). In regards to alcohol-related harm, international evidence on availability indicates that

longer hours of sale significantly increase the amount of alcohol consumed and the rates of alcohol related harms (Griesbrecht et al., 2013). The Centre for Addiction and Mental Health suggests restricting alcohol sales to 9 business hours per day, with limited availability late at night and in the early hours of the morning (D'Amico, Miles & Tucker, 2015). Most regulations in the US legalized states limit hours of operation to 10pm or midnight (California, 2017; Oregon, 2017; State of Colorado, 2017; Washington State Liquor and Cannabis Board, 2017). AHS recommends limiting the number of and late night/early morning hours of operation for cannabis stores (Griesbrecht et al., 2013; Rethinking Access to Marijuana, 2017).

Advertising and Signage

AHS recommends that municipalities include policy/bylaw considerations to limit advertising to dampen favorable social norms toward cannabis use (D'Amico, Miles & Tucker, 2015). Further, while it is important to implement the principles of Crime Prevention through Environmental Design (i.e., the physical space should be well lit, tidy, include proper parking etc.), the physical appearance should not encourage or engage patrons. A similar policy has been implemented in Denver, Colorado. This approach is supported by a large body of evidence related to alcohol and tobacco. (Joseph, et al., 2015; Hackbarth et al., 2001; Lavack & Toth, 2006; Malone, 2012).

Consumption

AHS recommends that municipalities align their regulations with the *Tobacco and Smoking Reduction Act*. In addition, municipalities may also want to consider enacting bylaws that consider banning tobacco-like substances such as shisha.

AHS recommends that municipalities implement regulations banning consumption in public places, as well as for public intoxication (see Alberta Liquor and Gaming Act). The rationale for this is two-fold: (i) cannabis is an intoxicating substance and should therefore be treated similarly to alcohol, and (ii) harms related to second and third-hand smoke, especially for children and youth. Second-hand cannabis smoke is more mutagenic and cytotoxic than tobacco smoke, and therefore second-hand inhalation of cannabis should be considered a health risk (Cone et al., 2011; Health Technology Assessment Unit, 2017; Maertens, White, Williams & Yauk, 2013).

Special attention should be directed at banning consumption in areas frequented by children, including: all types of parks (provincial, municipal, athletic parks, baseball, urban, trails/pathways, etc.), playgrounds, school grounds, community centers, sports fields, queues, skateboard parks, amphitheaters, picnic areas and crowded outdoor events where children are present (i.e., all ages music festivals, CFL football games, rodeos, parades, Canada Day celebrations, outdoor festivals, outdoor amusement parks (private), golf courses, zoos, transit and school bus stops, ski hills, outdoor skating rinks or on any municipal owned lands) (Rethinking Access to Marijuana, 2017). Public consumption bans should also be enacted for hospitals (all points of health care, urgent care clinics, clinics, etc.), picnic areas (alcohol limits for outdoor consumption). Currently, consumption of tobacco and tobacco-like products is not permitted on any AHS property.

Venues for consumption

Until adequate evidence-based rationale can be provided, AHS does not support having specific venues for indoor consumption (smoking, vaping, water pipes) as this would expose people to second-hand smoke, promote renormalization of smoking, reverse some of the progress made with public smoking bans, and present occupational health issues (i.e., second and third hand smoke exposures, and inadvertent intoxication of staff and patrons).

Home Growing

AHS recommends households interested in personally cultivating cannabis go through a municipal approval process and that owners have access to reference educational materials related but not limited to: mitigating child safety, security, water use, electrical hazards, humidity, and odor concerns. These materials will help ensure the property is capable of safely supporting home growing and help reduce the negative impacts to surrounding properties (Rethinking Access to Marijuana, 2017).

While allowing citizens to grow cannabis plants at home may provide more options for access, there are risks to public health and safety. Further, as Bill 26 currently reads, as it pertains to personal cultivation, municipalities can expect an increase in nuisance complaints. Cannabis is also known to be a water and energy intensive crop, as such; this impacts municipalities in a number of ways (Bauer et al., 2015; Cone et al., 2011; Health Technology Assessment Unit, 2017; Mills, 2012). For example, personal cultivation brings risks related to air quality, ventilation, mold, odors, pests, chemical disposal, indoor herbicide/pesticide use, increased electrical use and fire risk, and accidental consumption. Further, all of these risks are amplified when children are present in the home and/or multi-unit dwelling.

In Colorado, it is estimated that one-third of the total cannabis supply comes from personal cultivation as permitted to medical cannabis users (Canadian Centre on Substance Abuse, 2015). As such, municipalities alongside AHS should anticipate requiring additional resources as a system cost to be able to adequately respond to public health and community nuisance complaints. Furthermore there may be additional municipal human resource needs, as well as an increase in hazards, as it relates to indoor personal cultivation, impacting departments like waste services, fire, police and bylaw services. Finally, additional building codes and safety codes may be required in order to effectively manage and address hazards pertaining to heating, ventilation and air cooling systems, as well as building electrical.

Multi-Unit Housing

Existing tools for managing the issue of cannabis consumption and personal cultivation in multi-unit housing will likely not be sufficient to manage this issue. It will be important to recognize the negative health effects of second and third-hand smoke and risks related to personal cultivation when considering municipal regulations for multi-unit housing.¹ Other changes that are needed to address both indoor consumption and personal cultivation in multi-unit housing include:

- additional building codes and safety codes to effectively manage and address hazards pertaining to heating, ventilation and air cooling systems, as well as building electrical,
- appropriate language in bylaws as they pertain to alcohol and/or public intoxication.

Health Canada (2017) has recommended a ban on smoking in multi-unit housing. AHS recognizes that there are potential health risks associated with second-hand smoke within multi-unit housing environments and therefore recommends municipalities consider bylaws that ban smoking in multi-unit housing.

Finally, as mentioned above, AHS Environmental Public Health is not currently in a position to effectively respond to the anticipated number of nuisance complaints received if smoking cannabis is allowed in multi-unit housing, both in terms of staffing, as well as in terms of enforcement. AHS encourages municipalities to plan for additional human resources if pre-emptive measures are not considered.

Additional Considerations

Education and Awareness

Evidence-informed public education and consistent messaging will be critical for promoting and protecting health of citizens. Many areas of education and awareness will be needed including: new/amended bylaws and regulations, home growing rules, and health impacts. As messages are developed it is important that municipalities, along with other stakeholders provide balanced, factual and unsensational messages about cannabis use and its impacts on communities (Canadian Centre on Substance Abuse, 2015).

Public education alone is only effective at creating awareness in a population. Comprehensive, multi-layered strategies that include social normative education, harm reduction, fact based information and targets multiple environments and populations should be used (Chief Medical Officers of Health of Canada, 2016). As municipalities move through this process it is important to note that public education should not be used as a substitute for effective policy development with strong regulations to protect communities from harms.

Capacity to Administer and Enforce

Regulatory frameworks are only successful if there is the capacity to implement them. Other jurisdictions have reported significant human resource needs to administer new regulations. For example, the City of Denver added over 37 FTEs across sectors including administration, health-related issues, public safety, and inspections (Canadian Centre on Substance Abuse, 2015).

Research and Evaluation

Moving forward, Alberta Health Services would like to strengthen their partnerships with municipalities to set up data sharing mechanisms between sectors. A key lesson learned from some US jurisdictions is to ensure mechanisms to share data across sectors are established (i.e., public health, transportation, public safety, seed-to-sale tracking, finance, law enforcement) (Freedman, 2017). This has been shown to help identify problematic trends sooner and more efficiently. Further, AHS encourages municipalities to advocate for provincial legislation to support data sharing and system integration.

Lessons learned from Washington State and Colorado indicate that baseline data was difficult to come by. Therefore, it is recommended that all levels of government and school boards review data collected and wherever possible separate variables that relate to cannabis use from other aggregate level data.² Further, monitoring impacts will be important to determine if policy goals are being met and to identify unintended consequences more quickly.

Notes

¹ (a) Health Canada has recommended a ban on smoking in multi-unit housing. (<https://www.canada.ca/en/health-canada/programs/future-tobacco-control/future-tobacco-control.html>).

(b) Real scenario: Consider a mom with 2 young children in an apartment complex. A neighbour is (legally) smoking pot in their suite. It is coming into her suite and believes it is negatively affecting her and her 2 small children. She is on a limited budget and does not have the resources to move. The landlord tells her that the neighbour is doing nothing wrong and police advise her there is nothing illegal about it. She has read the public health information and knows about the potential harms of cannabis. She then calls the municipality. Municipalities will need to have mechanisms in place to handle the potential increase in cannabis-related calls and mitigation strategies to address the complaints.

² Many preschools and childcare facilities are already located in strip malls adjacent to liquor outlets (bars or liquor stores). Cannabis stores should not be allowed to be located within a shopping complex that has any type of childcare facility.

Childcare programs in Alberta as of June 2017

Type	# of regulated spaces	% of spaces	# of programs/locations	% of programs	% of locations
Day care	47,155	39.9%	842	18.8%	33%
Day home	11,773	10.0%	67 agencies with est. 1,962 locations (Based on 6 children per home)	3%	43.8%
Pre-school	17,699	15%	686	27%	15.3%
Out of School	40,817	34.6%	958	37%	21.4%
Innovative childcare program	604	0.5%	22	1%	0.5%
Group family childcare program	40	0.03%	5	0%	0.1%
Total	118,088		4,475		

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PUBLIC HEALTH PERSPECTIVES ON CANNABIS LEGALIZATION IN ALBERTA

Written Submission to:

Alberta Cannabis Secretariat

Submitted on behalf of AHS by:

Dr. Gerry Predy, Senior Medical Officer of Health/Senior Medical Director–Population, Public and Indigenous Health

Date: July 31, 2017

PUBLIC HEALTH APPROACH

Alberta Health Services (AHS) supports an evidence-based public health approach to the development and implementation of legislation for the legalization and regulation of cannabis in Alberta. This means promoting and protecting the health of Albertans, and considering the impact on the health of our most vulnerable populations.

A public health approach strives to maximize benefits and minimize harms of substances, promote the health of all individuals of a population, decrease inequities, and ensure harms from interventions and legislation are not disproportionate to harms from the substances themselves.¹ The outcome of a public health approach (see Figure 1) shows how health/social harms and supply/demand are related. Harms related to substances are at a maximum when governance and control are at the extremes. Lower harms occur when a public health approach is used.

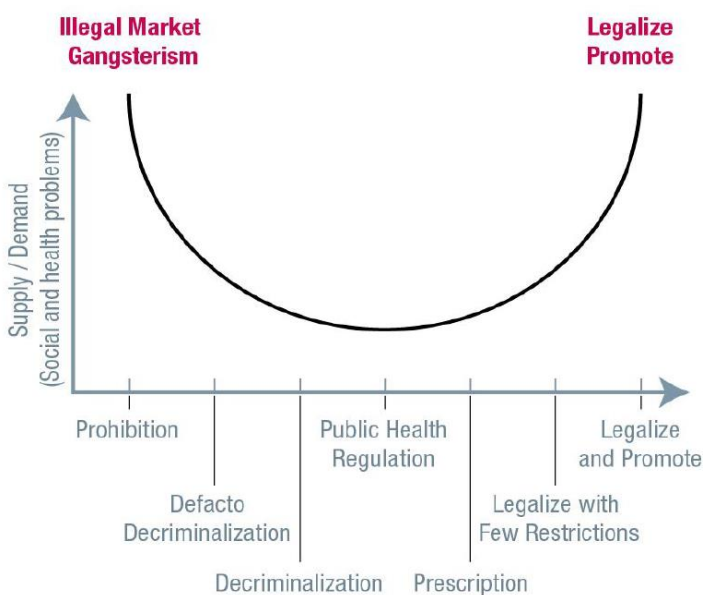


Figure 1. "The Paradox of Prohibition" Marks (1990)¹

Legalizing cannabis without considering the key elements of a public health approach is likely to result in greater social and health harms. Key considerations when developing policy from a public health lens includes:

- Minimizing harm
 - Consider the risks of cannabis use including the risks of harms to youth, risks associated with patterns of consumption (e.g., frequent use, co-use with alcohol and tobacco, harmful routes of consumption, consumption of concentrated products, increases in proportion of population consuming), and risks to vulnerable populations (e.g., youth, people with mental health problems, pregnant women, socio-economically disadvantaged populations).
- Protecting the health and safety of Albertans
 - Carefully consider evidence related to the public consumption of cannabis, workplace safety, and the scientific and legal issues associated with impaired driving.
- Preventing the likelihood of use and problematic use
 - Ensure early and on-going public education and awareness that seeks to delay use by young people, and prevent normalization.
- Assessing population health outcomes
 - Include baseline understandings of current situation; potential impact of policies and programming; disease, injury and disability surveillance (effects on society).
- Providing services
 - To assist those who are most at risk of developing or have developed substance use issues, expand access to treatment and prevention programs.
 - Consider the ongoing public health costs and ensure that public health programs are adequately resourced to address the risks.
- Addressing the determinants of health and health equity
 - Consider issues of social justice, racism, human rights, spiritual and cultural practices, as well as populations vulnerable to higher risk of cannabis-related harms.
 - Complete a health equity impact assessment to ensure unintended consequences of legalization are minimized.

It is also critical to begin conservatively and establish more restrictive regulations as it is very difficult to tighten regulations once in place. As there is little research on the impact of legalization on health and social outcomes, proceeding cautiously with implementation will help ensure that the promotion and protection of the health and safety of Albertan remains the priority.

As recommended by the Chief Medical Officers of Health of Canada,¹ the overarching goal to this legislation should be to improve and protect health—maximizing benefits, minimizing harms, promoting health, and reducing inequities for individuals, communities and society. This goal needs to be applied at every stage of the policy development process.

HARMS OF USE

While there is evidence that there is less impact on public health than alcohol and tobacco, cannabis still has significant health risks which include increased risk of some cancers, mental health issues, and

functional changes (e.g., memory loss) as well as social effects such as impaired driving.^{2,3,4} These health risks are more prevalent with frequent (daily or near-daily) and early age use. Recent research has reported significant increases in marijuana-related hospitalizations, emergency department visits, and calls to the regional poison center following legalization of marijuana in Colorado.⁵ Many reports also identify cannabis use being associated with an increased risk of motor vehicle collisions.^{6,7,8}

In addition, there are disproportionate impacts among vulnerable populations that need careful consideration. Lower-risk guidelines for cannabis use should be adopted as outlined by Fischer et al. (2011)⁹ focusing on populations that are more vulnerable to poor health outcomes such as youth, those with lower literacy and education, as well as gender specific populations. These lower risk guidelines¹⁰ have been endorsed by the Centre for Addiction and Mental Health, Canadian Public Health Association, Canadian Medical Association, Canadian Society of Addiction Medicine, Council of Chief Medical Officers of Health, and Canadian Centre on Substance Use and Addiction.

Research and evidence related to cannabis-impaired driving, brain development, dependence, mental health, chronic diseases (respiratory and cardiovascular), co-disease, co-occurring other drug use, passive exposure to smoke, among other issues, should also be considered in the development of cannabis legislation and regulation. Some specific evidence includes:

- Brain development – evidence suggests using cannabis in early adolescence can cause adverse effects to the developing brain and are at greater risk for long term cognitive impairments.^{11,12,13} While more research is needed in this area, there are reports that early, regular use is associated with higher risk of dependency, higher risk of health harms, and low levels of educational attainment.^{14,15,16,17}
- Dependence – The risk of dependency is a concern. It is reported that the global burden of cannabis dependence was 13.1 million people in 2010 (0.20%), and that dependence is greater among males and more common in high-income areas (compared to low-income areas).¹⁸ In addition, researchers in the U.S. indicate that the prevalence of lifetime dependence is approximately 9% among people that had used cannabis at least once.¹⁹
- Chronic Disease – Consumption of combusted cannabis is associated with respiratory disease such as a chronic cough. Other significant concerns that require further research include chronic obstructive pulmonary disease, asthma and lung cancer. Cannabis consumption, both inhaled and ingested affects the circulatory system, and there is some evidence associating cannabis with heart attacks and strokes.²⁰
- Mental health – Research suggests that cannabis users (mostly frequent and high potency use) are at greater risk of developing mental health problems such as psychosis, mania, suicide, depression, psychosis or schizophrenia.^{21,22} For example, it is reported that there is a 40-50% higher risk of psychosis for people with a pre-existing vulnerability than non-users.²³
- Passive exposure – Second-hand cannabis smoke is more mutagenic and cytotoxic than tobacco smoke, and therefore second-hand inhalation of cannabis should be considered a health risk.^{24,25,26}
- Driving -- Substantial evidence shows a link between cannabis use and increased risk of motor vehicle collisions.^{27,28} More research is needed to understand the association between THC levels and impairment, thus any limits set should be re-evaluated as evidence becomes available. In

addition, concerns about the reliability of current roadside testing technology has been expressed by many organizations and researchers. As such, investment for research related to impairment testing technology should be included in the implementation plan. A public education campaign about the risk of driving after consuming or smoking any cannabis or while impaired will be critical throughout the implementation of this legislation. This will be particularly important for youth, as the Canadian Paediatric Society reports that cannabis-impaired driving is more common than alcohol-impaired driving and youth are less likely to recognize driving after consuming cannabis as a risk.²⁹

HEALTH PROTECTION AND PREVENTION

Age of use. Researchers and public health organizations are in agreement—there is no safe age for using cannabis. Delaying use is one of the best ways to reduce the risk of harm to the developing brain. Scientifically-based minimum age recommendations are generally early-to-mid-20's but also recognize that a public health approach includes consideration for balancing many variables related to enforcement, the illicit market and public acceptance. Some public health organizations recommend the minimum age be set at 21 and others recommend bringing alcohol, tobacco and cannabis in alignment. Experience with tobacco has shown that there is a higher impact on initiation by persons under 15 and age 15-17 when setting the minimum age of purchase and possession at 21 versus 19 (Institute of Medicine in US). With the U.S. states who have legalized cannabis, all have chosen age 21 for cannabis minimum age and three states and over 230 cities/counties have implemented age 21 for tobacco. Cannabis legalization represents an opportunity for Alberta to consider raising the tobacco and alcohol minimum age.

Packaging/labelling. Plain, standardized and child-proof packaging is recommended to decrease the appeal to young people and avoid marketing tactics that make cannabis use attractive. Labelling should include health warnings and clearly defined single serving/dose information.

Marketing and promotion. Evidence has shown that advertising has a significant impact on youth health risk behaviours,³⁰ therefore promotion of cannabis use should be banned. Restrictions for marketing and promotion should follow the Alberta Tobacco and Smoking Reduction Act, with further consideration added such as movies, video games, online market, social marketing and other media accessible to and popular with youth. It is also important to note that language to describe cannabis can have a marketing affect. Therefore, as noted by the Chief Medical Officers of Health of Canada, the term “recreational” should not be used as this infers that cannabis use is fun. A more appropriate term is “non-medical.”

Distribution and retail. A government controlled system of distribution and retail would be most effective to ensure that public health goals (not profit) are the primary consideration for policy development. Taxation and other price controls should be appropriate to limit consumption and offset the illegal market. Tax revenues should be directed to support services impacted by legalizations including health, public safety, addictions and mental health services, prevention, and public

education. Co-location with alcohol or tobacco is not recommended and retail outlets should be non-promoting. Limits to density and location of retail stores is essential, including proximity to schools, community centres, residential neighbourhoods, youth facilities and childcare centres. While online and home delivery may be suitable for medical cannabis, there are many regulatory challenges and risks to public health for non-medical cannabis. Finally, training and education programs should be developed to ensure well-trained and knowledgeable staff. AHS is a key partner to help lead the development of this training.

Public consumption. The research regarding negative harms due to passive exposure of smoke is clear.^{31,32,33} Passive exposure to cannabis smoke can result in a positive test for cannabis and sometimes causes intoxication. Therefore, public smoking and vaping should not be permitted.³⁴ It is recommended that regulations similar to the Tobacco and Smoking Reduction Act, which includes a ban on water pipe smoking in establishments and e-cigarette use in public areas. This also suggests banning cannabis lounges/cafes as these facilities would expose people to second-hand smoke, promote renormalizing smoking, present occupational health issues, and reverse some of the progress made with public smoking bans. Additional considerations to protect public health include exploring policy options to address smoke-free multi-unit housing.

Public education. Evidence-informed public education is critical to promoting and protecting the health and wellbeing of Albertans. The potential, particularly for youth, to hear “mixed messages” about cannabis use requires the development, implementation and evaluation of a more nuanced set of health promotion and harm prevention messages and interventions to support people in their decision-making around cannabis use.³⁵ Alberta Health Services can play a major role in public education, applying its significant experience in developing and implementing education and awareness campaigns. It will be critical to work with partner organizations and audiences particularly youth and those who are current users of cannabis to implement evidence-informed health promotion messaging that includes (but not limited to): delay of use, effects of use/co-use, long-term impact, reliable information sources, harm reduction, edible versus smoking effects, pregnancy and effects on fetus, medical and non-medical cannabis differences, workplace safety, impaired driving, culturally appropriate messaging, health impacts and youth-focused messaging.

Addiction and treatment services. Strengthening treatment services for people with substance use issues and mental health disorders will be necessary as these treatment systems are already under resourced which in turn have significant health and social consequences. For example, the Alberta Mental Health Review in 2015 reported that almost half of Albertans said that at least one of their needs was not met when they attempted to get assistance for addiction and mental health issues.³⁶ It is anticipated that there will be an increase in demand to address problematic cannabis use and for that reason investments in evidence-based interventions will be needed.^{37,38} It will also be necessary for those who use cannabis for medical purposes to have access to accurate, reliable information such as indicators, adverse effects, methods of use and risk reduction.

ASSESSMENT, SURVEILLANCE AND RESEARCH

Currently, reliable cannabis-related research and evidence is limited. Therefore, dedicated funding and resources will be needed to ensure proper monitoring and surveillance, and improve the body of research and evidence related to cannabis use and the impact of legalization.³⁹

While there have been several other jurisdictions who have recently implemented legislation to legalize cannabis, many have faced significant challenges in implementing effective evaluation programs. Lessons learned from these jurisdictions will be critical to determining baseline measures and selecting indicators for ongoing surveillance.⁴⁰ A consistent approach, working across all provinces and territories, is central to measuring impact and providing comparable data.^{41,42} In Canada, there have already been some efforts to establish this coordinated approach including Health Canada's Annual Cannabis Use survey and Canadian Institutes for Health Research's (CIHR) catalysts grants. Not only is this national view important, but a provincial collaborative approach is needed. This would require a coordinating body to ensure municipal, provincial and federal research and evaluation efforts are well-coordinated.

OTHER RECOMMENDED REPORTS/POSITIONS

It is highly recommended that the Alberta government considers the information and recommendations from the following:

- Chief Medical Officers of Health of Canada & Urban Public Health Network (2016)
<http://uphn.ca/wp-content/uploads/2016/10/Chief-MOH-UPHN-Cannabis-Perspectives-Final-Sept-26-2016.pdf>
- Toronto Medical Officer of Health (2017)
<http://www.toronto.ca/legdocs/mmis/2017/hl/bgrd/backgroundfile-104495.pdf>
- Canadian Public Health Association (2016)
https://www.cpha.ca/sites/default/files/assets/policy/cannabis_submission_e.pdf
- Centre for Addiction and Mental Health (2014)
https://www.camh.ca/en/hospital/about_camh/influencing_public_policy/documents/camhcanabispolicyframework.pdf
- Canadian Centre for Substance Use and Addiction
 - <http://www.ccsa.ca/Resource%20Library/CCSA-Non-Therapeutic-Marijuana-Policy-Brief-2014-en.pdf>
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 - <http://www.ccsa.ca/Resource%20Library/CCSA-National-Research-Agenda-Non-Medical-Cannabis-Use-Summary-2017-en.pdf>
- Ontario Public Health Association
<http://www.opha.on.ca/getmedia/6b05a6bc-bac2-4c92-af18-62b91a003b1b/The-Public-Health-Implications-of-the-Legalization-of-Recreational-Cannabis.pdf.aspx?ext=.pdf>
- Canadian Paediatric Society
<http://www.cps.ca/en/documents/position/cannabis-children-and-youth>

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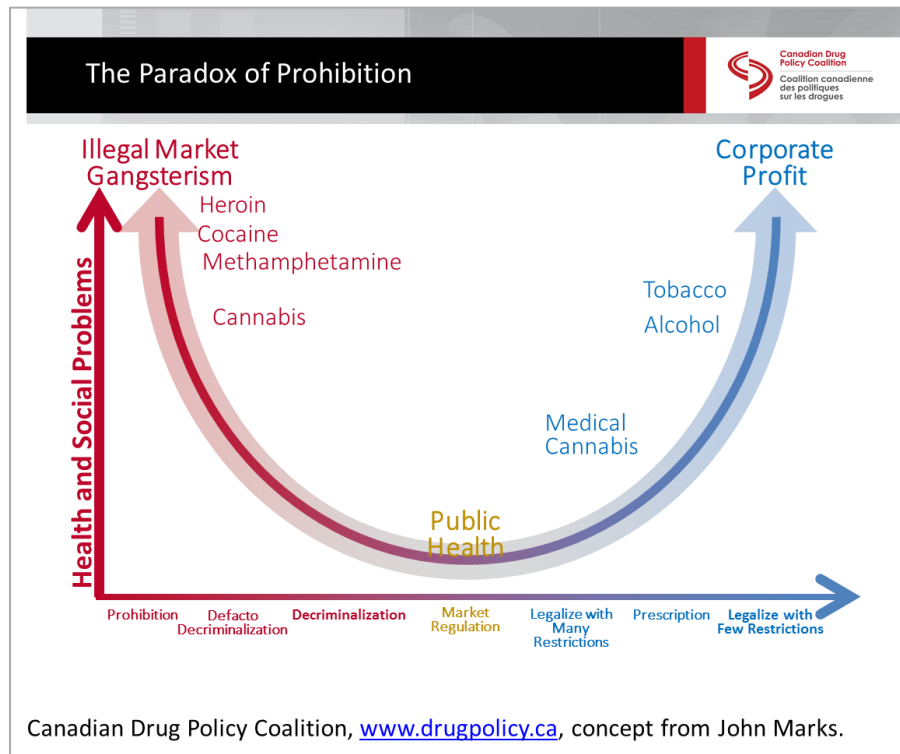
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- ³⁶ Alberta Health. (2015). *Valuing mental health: Alberta mental health review*. Available from <http://www.health.alberta.ca/documents/Alberta-Mental-Health-Review-2015.pdf>
- ³⁷ Canadian Centre on Substance Abuse. (2015). *Cannabis regulation: Lessons learned in Colorado and Washington State*. Available from <http://www.ccsa.ca/Resource%20Library/CCSA-Cannabis-Regulation-Lessons-Learned-Report-2015-en.pdf>
- ³⁸ Centre for Addiction and Mental Health. (2014). *Cannabis Policy Framework*. Toronto, ON.
- ³⁹ Canadian Centre on Substance Abuse. (2017). *National research agenda on the health impacts of non-medical cannabis use*. Available from <http://www.ccsa.ca/Resource%20Library/CCSA-National-Research-Agenda-Non-Medical-Cannabis-Use-Summary-2017-en.pdf>
- ⁴⁰ Canadian Centre on Substance Abuse. (2015). *Cannabis regulation: Lessons learned in Colorado and Washington State*. Available from <http://www.ccsa.ca/Resource%20Library/CCSA-Cannabis-Regulation-Lessons-Learned-Report-2015-en.pdf>
- ⁴¹ Maslov, A. Lawrence, A and Ferguson, M. (2016). *Cannabis performance metrics for policy consideration: What do we need to measure?* Available from <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2016-r009/2016-r009-en.pdf>
- ⁴² Chief Medical Officers of Health of Canada & Urban Public Health Network. (2016). *Public health perspectives on cannabis policy and regulation*. Available from <http://uphn.ca/wp-content/uploads/2016/10/Chief-MOH-UPHN-Cannabis-Perspectives-Final-Sept-26-2016.pdf>

A Public Health Approach¹ to Cannabis Legalization

A public health approach strives to maximize benefits and minimize harms of substances, promote the health of all individuals of a population, decrease inequities, and ensure harms from interventions and legislation are not disproportionate to harms from the substances themselves.

A public health lens to cannabis legalization also involves taking a precautionary approach to minimize unintended consequences. This precautionary approach helps minimize unintended consequences, especially when evidence is incomplete and/or inconclusive. In addition, it is easier to prevent future harms, by removing regulations in the future once more knowledge exists, than it is to later add regulation.¹



- The outcome of a public health approach shows how health/social harms and supply/demand are related.
- Harms related to substances are at a maximum when governance and control are at the extremes. Note that harms are similar to prohibition if commercialization/privatization is at the extreme.
- Lower health and social harms occur when a public health approach is used. (Note: the curve doesn't go to zero—there are always problems associated with substance use, but they can be minimized).
- Legalizing cannabis without considering the key elements of a public health approach may result in greater social and health harms.

Key considerations when developing policy from a public health lens includes:

- Minimizing harms
- Protecting health and safety of citizens
- Preventing the likelihood of use and problematic use
- Assessing population health outcomes
- Providing services
- Addressing the determinants of health and health equity

¹ Chief Medical Officers of Health of Canada & Urban Public Health Network. (2016). *Public health perspectives on cannabis policy and regulation*. Available from <http://uphn.ca/wp-content/uploads/2016/10/Chief-MOH-UPHN-Cannabis-Perspectives-Final-Sept-26-2016.pdf>

ADDITIONAL RESOURCES:

- Alberta Health Services – Public Health Perspectives on Cannabis
https://drive.google.com/drive/folders/0B6lL8pRONuu_UDB6WTBnU2lNRmc
- Chief Medical Officers of Health of Canada & Urban Public Health Network (2016) <http://uphn.ca/wp-content/uploads/2016/10/Chief-MOH-UPHN-Cannabis-Perspectives-Final-Sept-26-2016.pdf>
- University of Calgary Evidence Series
<https://open.alberta.ca/dataset/0239e5c2-5b48-4e93-9bcc-77f72f7bdc5e/resource/021d8f84-5d8b-4e21-b0bb-81340d407944/download/AHTDP-Cannabis-Evidence-Series-2017.pdf>
- The Federation of Canadian Municipalities
https://fcm.ca/Documents/issues/Cannabis_Legislation_Primer_EN.pdf
- Centre for Addiction and Mental Health (2014)
 - https://www.camh.ca/en/hospital/about_camh/influencing_public_policy/documents/camhcanabispolicyframework.pdf
 - https://www.camh.ca/en/research/news_and_publications/reports_and_books/Documents/Provincial%20alcohol%20reports/Provincial%20Summary_%20AB.pdf
- Canadian Centre for Substance Use and Addiction
 - <http://www.ccsa.ca/Resource%20Library/CCSA-Non-Therapeutic-Marijuana-Policy-Brief-2014-en.pdf>
 - <http://www.ccsa.ca/Resource%20Library/CCSA-Cannabis-Regulation-Lessons-Learned-Report-2015-en.pdf>
 - <http://www.ccsa.ca/Resource%20Library/CCSA-National-Research-Agenda-Non-Medical-Cannabis-Use-Summary-2017-en.pdf>
- Canadian Paediatric Society: <http://www.cps.ca/en/documents/position/cannabis-children-and-youth>
- Canada's Lower-Risk Cannabis Use Guidelines
http://www.camh.ca/en/research/news_and_publications/reports_and_books/Documents/LRCUG.KT.PublicBrochure.15June2017.pdf
- Drug Free Kids Canada
<https://www.drugfreekidscanada.org/>
- AHS Medicinal Marijuana Series
<https://www.youtube.com/playlist?list=PL4H2py77UNuXVGFm2qbl288PDA4LcJg9z>
- Government of Alberta & Government of Canada
 - <https://www.alberta.ca/cannabis-legalization.aspx>
 - <https://www.canada.ca/en/services/health/campaigns/legalizing-strictly-regulating-cannabis-facts.html>
- Rethinking Access to Marijuana
http://www.lacountyram.org/uploads/1/0/4/0/10409636/ram_cb_inlayout4.pdf
- Canadian Medical Association Journal: <http://cmajopen.ca/content/5/4/E814.full>

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Recreational Cannabis Regulations – Survey Results

June 29 – July 30, 2018

1,212 responses (3% of County population)

Q1. This survey is only for Rocky View County residents, property owners, and business owners. From the map below, where do you live, own property or own a business?

- | | |
|---|----------|
| <input type="checkbox"/> Division 1 – Southwest Rocky View County, Bragg Creek | (14.11%) |
| <input type="checkbox"/> Division 2 – Springbank | (12.05%) |
| <input type="checkbox"/> Division 3 – Elbow Valley, Springbank | (12.29%) |
| <input type="checkbox"/> Division 4 – Southeast Rocky View County, Langdon, Indus | (21.78%) |
| <input type="checkbox"/> Division 5 – East Rocky View County, Dalroy, Conrich | (5.20%) |
| <input type="checkbox"/> Division 6 – Northeast Rocky View County, Kathyrn, Keoma | (5.12%) |
| <input type="checkbox"/> Division 7 – North Rocky View County, Balzac, Madden | (7.34%) |
| <input type="checkbox"/> Division 8 – Bearspaw | (14.03%) |
| <input type="checkbox"/> Division 9 – Northwest Rocky View County, Cochrane Lake | (8.09%) |

Q2. The passing of the federal Cannabis Act on June 19, 2018 requires Rocky View County to prepare for retail cannabis locations to start operating later this year. We are responsible for creating policy which includes determining where retail cannabis stores may be located within the County. Where do you feel it would be appropriate to allow for retail cannabis stores in the County? (select all that apply)

- | | |
|--|----------|
| <input type="checkbox"/> Commercial areas | (79.23%) |
| <input type="checkbox"/> Industrial areas | (28.43%) |
| <input type="checkbox"/> Agriculture areas | (12.26%) |
| <input type="checkbox"/> Residential areas | (7.32%) |
| <input type="checkbox"/> Other (please specify): | (14.13%) |

Of the responses that chose "other":

- 56% didn't want to see cannabis stores anywhere at all;
- 8.5% wanted to see cannabis retail treated the same as liquor sales;
- 6% wanted to see cannabis retailed within the City of Calgary, or with the towns – not within the rural community;
- 4.8% felt it should be available in any retail location; and
- 4.24% felt it should be sold through hospitals, pharmacies/medical clinics etc.

The remaining responses were a combination of wanting to see cannabis sold near police stations, within commercial areas, nowhere near schools, in specialized locations, where cigarettes are sold, or online.



ROCKY VIEW COUNTY

Q3. The Province will require that cannabis retail stores be located at least 100 m (328 ft.) away from healthcare facilities, schools, and school reserve land. Do you feel this distance is adequate or would you suggest another distance?

- ☐ 100 m is adequate (22.28%)
- ☐ 200 m (6.54%)
- ☐ 300 m (9.73%)
- ☐ More than 300 m (56.85%)
- ☐ No opinion (4.60%)

Q4. Related to Question 3, the County can also create its own requirements. In the list below, check what you feel would be an appropriate distance between cannabis retail locations and other places.

Other cannabis retail stores:

- ☐ No setback (26.92%)
- ☐ 50 m (2.14%)
- ☐ 100 m (5.44%)
- ☐ 200 m (3.30%)
- ☐ 300 m (6.51%)
- ☐ More than 300 m (44.12%)
- ☐ No opinion (11.59%)

Liquor stores:

- ☐ No setback (39.89%)
- ☐ 50 m (3.04%)
- ☐ 100 m (7.96%)
- ☐ 200 m (3.40%)
- ☐ 300 m (6.08%)
- ☐ More than 300 m (27.73%)
- ☐ No opinion (11.90%)

Residential dwellings:

- ☐ No setback (7.93%)
- ☐ 50 m (2.05%)
- ☐ 100 m (9.00%)
- ☐ 200 m (5.70%)
- ☐ 300 m (8.11%)
- ☐ More than 300 m (63.01%)
- ☐ No opinion (4.19%)



Daycare facilities:

- | | |
|--|----------|
| <input type="checkbox"/> No setback | (5.08%) |
| <input type="checkbox"/> 50 m | (1.43%) |
| <input type="checkbox"/> 100 m | (9.18%) |
| <input type="checkbox"/> 200 m | (4.37%) |
| <input type="checkbox"/> 300 m | (7.13%) |
| <input type="checkbox"/> More than 300 m | (69.43%) |
| <input type="checkbox"/> No opinion | (3.39%) |

If there are other places you believe should be set back from cannabis retail stores, please list them and the setback distance you believe appropriate.

☐ Other:

With question #4, respondents were asked to list other locations that should be setback from cannabis stores, and to specify the setbacks suggested. The majority wanted to see unspecified setbacks from anywhere the general public would be - specifically with concern regarding the location and congregation of minors and families.

- 10% of the responses specifying recreational spaces, outdoor fields, parks, pathways, trails, & sports facilities, and
- 17% specifying churches, schools, daycares, community centers, theme parks etc.
- Another 10% didn't want to see cannabis stores anywhere in the County.

Of the responses that specified desired setbacks:

- 27% of respondents suggested a 300 m setback, siting specific areas that include the above locations, as well as residential areas, hospitals, remand centres, movie theatres, service stations, and agricultural areas.
- Another 5% suggested that the setbacks required of liquor stores should be applied to cannabis stores.
- Approximately 2% suggested a setback of 100 m from community and recreational facilities, and churches.

The above responses compose 64% of the comments received, and the over-arching feeling was that cannabis retail stores should be setback well away from where minors and families would be gathering.

There were a few requests for much higher setbacks of 500 metres to 100 miles from many of the already-specified locations, and several responses citing other areas from which cannabis stores should be setback; areas such as healthcare facilities and shelters, restaurants and patios, places of employment, shopping centers, guns and hunting supplies stores, and nightclubs and bars were mentioned.

The Province will limit hours of operation between 10 am and 2 am, seven days a week. The only day locations must be closed is December 25. The County can create its own requirements.

Q5. The County should restrict the opening time of locations to:

- | | |
|---|----------|
| <input type="checkbox"/> 10 a.m. (earliest allowed) | (64.88%) |
| <input type="checkbox"/> 11 a.m. | (8.10%) |
| <input type="checkbox"/> Noon | (11.28%) |
| <input type="checkbox"/> 1 p.m. | (8.74%) |
| <input type="checkbox"/> Other (please specify): | (7.01%) |



ROCKY VIEW COUNTY

Of the 73 responses that chose “other”:

- 26% felt that cannabis stores shouldn't have any hours of business, or shouldn't be open at all;
- 16% felt that cannabis stores should be treated the same as liquor stores;
- 15% responded with specific evening to late evening hours or indicated they should be open as late as possible; and
- 11% felt that it shouldn't be up to the County to determine the hours – that the hours of business should be determined by the business owner.

The remaining answers were evenly disbursed between early morning hours of business, 24 hour operations, being closed during school lunch breaks, having as few hours of operation as possible, and being treated like any other retail store.

Q6. The County should restrict the closing time of locations to:

- | | |
|--|----------|
| <input type="checkbox"/> 11 p.m. | (45.80%) |
| <input type="checkbox"/> Midnight | (14.18%) |
| <input type="checkbox"/> 1 a.m. | (1.17%) |
| <input type="checkbox"/> 2 a.m. (latest allowed) | (19.96%) |
| <input type="checkbox"/> Other (please specify): | (18.88%) |

Of the 205 responses that chose “other”:

- 27% felt that 9:00 p.m. would be a good closing time, much like other retail stores, while another 10% felt the cannabis stores should close at 10:00 p.m., and another 10% suggested 6:00 p.m.
- Just over 9% suggested 8:00 p.m.
- Almost 9% of the responses suggested that the closing time should be the same as liquor stores, and an equal amount suggested that there shouldn't be any hours of operation at all.
- Finally, 5% suggested 5:00 p.m. as a closing time, and the remaining responses were disbursed evenly between very early hours, before school lets out, 24-hours, consistency with the province, or having no opinion.

Q7. Smoking is regulated by the Province of Alberta's *Tobacco and Smoking Reduction Act*. Smoking is not allowed in enclosed public places, workplaces, in vehicles with minors, in public vehicles, or within a prescribed distance from a building.

How do you feel public consumption of recreational cannabis should be regulated in the County compared to the consumption of tobacco.

- | | |
|---|----------|
| <input type="checkbox"/> Less restrictive | (3.59%) |
| <input type="checkbox"/> The same | (37.65%) |
| <input type="checkbox"/> More restrictive | (58.76%) |

Q8. The public consumption of alcohol is regulated by the *Gaming and Liquor Act*. Consumption is only allowed within a licensed area or private residence.

How do you feel public consumption of recreational cannabis should be regulated in the County compared to the consumption of liquor.

- | | |
|---|----------|
| <input type="checkbox"/> Less restrictive | (10.55%) |
| <input type="checkbox"/> The same | (50.64%) |



- ☐ More restrictive (38.82%)

Q9. Are you completing this survey on behalf of:

- ☐ Yourself or your family (98.46%)
- ☐ A community organization (0.45%)
- ☐ A business (0.72%)
- ☐ Other: (0.36%)

Q10. What is your age?

- ☐ Under 18 (0.09%)
- ☐ 18-24 (1.54%)
- ☐ 25-34 (6.34%)
- ☐ 35-44 (19.38%)
- ☐ 45-54 (24.37%)
- ☐ 55-64 (25.36%)
- ☐ 65-74 (15.67%)
- ☐ 75 or older (3.89%)
- ☐ Prefer not to say (3.35%)

Q11. Are there any other items you think the County should take into consideration?

There were a number of other items that respondents felt the County should take into consideration. The most common comments focused on the rules and regulations regarding cannabis retail (12%). Most comments in this regard suggested that the rules and regulations should be very strict, and a few of these mentioned that the rules could be relaxed as needed as impacts are felt and analyzed.

The second most common theme focused on the enforcement of the above mentioned rules and regulations, and the desire for increased police presence to deal with bylaw enforcement, drivers under the influence, and potential increases in crime rates (11.9%).

The next common thread was with regard to the dislike of the smell emitted by smoking cannabis (10.9%), and a number of people commented on the ill-effects of second-hand smoke and the desire to not be exposed to it (5.9%). Many respondents were concerned about the health effects of those smoking or being exposed to cannabis (6.9%), and a number of respondents were worried about the increase in intoxicated drivers on County roads and the corresponding increase accidents (6.5%).

Some people reiterated that cannabis retail laws should be the same as liquor laws (5.9%), and some reiterated that the rules should be the same as tobacco laws (5.2%).

A number of respondents expressed an outright disapproval of the legalization (4.9%), a number of individuals questioned what would be allowed on their, or their neighbour's, land and expressed a desire to ensure certain uses were and weren't available (3.4%). Several mentioned the need for updated workplace rules and policies (2.7%).

The remaining responses circled around:

- Limiting the number of retail locations in a specific geographic area (2.5%);

**ROCKY VIEW COUNTY**

- General support of the product and the legislation (2.2%);
- A desire to keep retail stores out of the county (1.9%);
- The desire to see this as an income opportunity;
- The desire to obtain more education as a municipality and provide more education to the residents;
- Suggestions to have designated consumption areas;
- A concern with the additional costs monitoring and enforcement will incur; and
- Suggestions to follow provincial laws rather than creating our own.

A few people mentioned limiting access to retail stores, ensuring significant setbacks, being cognizant of environmental concerns (littering, wildlife health, and forest fires), recognizing medical use separately, keeping use restricted to within private residences, and increasing age limits for purchasing cannabis.