



REQUEST FOR DECISION

MEETING DATE: March 27, 2023

TITLE: C-1244-23 - Land Use Bylaw Text Amendment - Cannabis Sales, 280 Pioneer Road - Second and Third Reading

DIVISION: Planning & Infrastructure

SUMMARY:

Bylaw C-1244 -23, a proposed site-specific Land Use Bylaw text amendment to Section 125 C3 - Neighbourhood Retail and Services District, to add Cannabis Sales as a discretionary use for the parcel at 280 Pioneer Road (Plan 1723512, Block 4, Lot 30), is being brought forward for consideration by Council. If approved, the proposed Bylaw will allow Administration to consider Cannabis Sales as a discretionary use at 280 Pioneer Road.

PROPOSED MOTION:

THAT second reading be given to C-1244-23 - Land Use Bylaw Amendment - Cannabis Sales, 280 Pioneer Road.

THAT third reading be given to C-1244-23 - Land Use Bylaw Amendment - Cannabis Sales, 280 Pioneer Road.

BACKGROUND / ANALYSIS:

The developer of 280 Pioneer Road, a neighbourhood commercial site also legally described as Plan 172 3512, Block 4, Lot 30, has made an application for a site-specific text amendment to Land Use Bylaw Section 125 C3 - Neighbourhood Retail and Services District. The amendment proposes the addition of Cannabis Sales, as a site-specific discretionary use to the C3 District which would allow the City to consider the development of a Cannabis Sales business at 280 Pioneer Road.

Land Use Bylaw

The subject site is currently districted C3 - Neighbourhood Retail and Service District, which has the general purpose of providing commercial and personal service uses to serve the day-to-day needs of residents within a residential neighbourhood. Cannabis Sales is not a permitted nor discretionary use in the C3 District and therefore an amendment to the Land Use Bylaw is required to allow its consideration as a Discretionary Use. Any Development Permit issued for a Discretionary Use would be appealable to the Subdivision and Development Appeal Board.

Cannabis Sales regulations were adopted in 2018 with a number of separation distance requirements that are reciprocal in nature from residential areas, school and recreational sites and other sensitive uses. For this reason, Cannabis Sales were made available in vehicle oriented commercial districts and not the neighbourhood oriented commercial districts that tend to be located close to residential areas, school sites, and sensitive uses (i.e., Child Care Facilities).

Prior to July 2022 the abutting site at 270 Pioneer Road was designated for medium to high density residential site under the East Pioneer Area Structure Plan, and it was districted R2 - Medium to High Density Residential District. This residential designation would have limited the Cannabis Sales use from locating at the subject site due to not meeting the 25 m separation distance requirement. Subsequently, in July 2022, the East Pioneer Area Structure Plan was amended to change 270 Pioneer Road from residential to commercial use, and it was redistricted to the C4 - Integrated Mixed-Use District. This change from residential to commercial eliminated the previous Cannabis Sales separation distance requirement from residential use (See Attachment: Cannabis - Sensitive Use Setback Map).

The proposed Cannabis Sales use at 280 Pioneer Road meets all the separation distance requirements under the C1 and C2 - Land Use Bylaw districts. There is a childcare facility located within the same commercial development, however it exceeds the 25.0 m separation distance required from the premises where the Cannabis Sales use is proposed.

There is also an Alcohol Sales use at 280 Pioneer Road, and if the proposed Cannabis Sales use were approved this would be the first Spruce Grove location where an Alcohol Sales and Cannabis Sales are within the same commercial development. Currently, there are no municipal or provincial regulations limiting the location of Alcohol Sales and Cannabis Sales in the same area. Examples of cannabis stores located next to alcohol stores can be observed in many municipalities, including the City of Edmonton. Lastly, we note that Enforcement Services has observed very few complaints in relation to Cannabis consumption or complaints centered around Cannabis outlets.

There are currently six Cannabis stores in Spruce Grove. In comparison to other municipalities in the region, Spruce Grove has the lowest population to store ratio, with approximately 6,274 people per store.

Municipality	Population (2021)	Store Licenses	Population Served / Store
Town of Stony Plain	17933	6	2989
City of Fort Saskatchewan	27088	7	3870
City of Beaumont	20888	5	4178
City of St. Albert	68232	14	4874
City of Edmonton	1010899	195	5184
City of Leduc	34094	6	5682
Spruce Grove	37645	6	6274

Source: <https://aglc.ca/cannabis/retail-cannabis/cannabis-licensee-search>, <https://www.emrb.ca/total-population-and-dwellings>

OPTIONS / ALTERNATIVES:

This bylaw is being brought forward for consideration of second and third reading. Based on information provided at the public hearing, discussion, and consideration of changes to the bylaw may be made. Alternatively, Council may defeat the motion for second reading and choose to defeat this bylaw.

CONSULTATION / ENGAGEMENT:

A statutory public hearing, advertised per the requirements of the *Municipal Government Act*, will be held prior to consideration of second reading. Advertising of the public hearing was placed in the Spruce Grove Examiner on March 10 and 17, 2023 as per the requirements of the *Municipal Government Act*.

IMPLEMENTATION / COMMUNICATION:

If approved, the Land Use Bylaw map will be updated per Bylaw C-1244-23 and be published on the City's website.

IMPACTS:

Approval of this bylaw will enable the City to consider a development permit application for a Cannabis Sales use at 280 Pioneer Road.

FINANCIAL IMPLICATIONS:

n/a