



Cannabis Production in Foothills County

Land Use Bylaw Regulations & Applications

www.foothillscountyab.ca

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CANNABIS PRODUCTION, NURSERY means the use of land, buildings or structures for the purposes of cultivation of cannabis authorized by license for a nursery pursuant to the Cannabis Regulations, SOR/2018-144, or any successor or replacement legislation or regulations, which may be enacted in substitution thereof.

CANNABIS PRODUCTION, MICRO means the use of land, buildings or structures for the purposes of cultivation, processing, labeling and packaging, testing, destroying, storing, or transporting cannabis authorized by license for micro- cultivation and/or micro-processing, pursuant to the Cannabis Regulations, SOR/2018-144, or any successor or replacement legislation or regulations, which may be enacted in substitution thereof.

CANNABIS PRODUCTION, STANDARD means the use of land, buildings or structures for the purposes of cultivation, processing, labeling and packaging, testing, destroying, storing, or transporting cannabis authorized by license for standard cultivation and/or processing, pursuant to the Cannabis Regulations, SOR/2018-144, or any successor or replacement legislation or regulations, which may be enacted in substitution thereof. (Section 2.5.1 – Definitions)

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1. A Development Permit is required for all Cannabis Production in Foothills County.
 2. Cannabis production is specifically defined above and is a discretionary use under the General Industry District only. This use shall not be included as any other similar or accessory uses such as greenhouses, intensive vegetation operations, or agricultural processing and distribution.
 3. Cannabis production shall occur only under applicable federal licensing. Proof of valid Federal licensing and the activities as approved thereunder shall be provided to the County.
 4. Cannabis production shall meet the following criteria:
 - a. All licensed processes and functions shall be fully enclosed within a stand-alone building(s). Loading stalls and docks shall not be visible from a public road or adjacent lands.
 - b. Outdoor storage is not permitted with cannabis production.
 - c. No noise, odour, smoke or air borne particles inherent to the nature of operations shall be determinable beyond the legal boundaries of the parcel.
 - d. An applicant shall illustrate the ability to comply with municipal water allotments or prove a licensed source of water.
 - e. Where on-site illumination is required, all lighting shall be positioned in such a manner that lighting falling onto abutting properties is minimized and shall be in accordance with the “*Dark Sky Bylaw*” adopted by Council.
 - f. A landscaping and screening plan shall be completed to the satisfaction of the approving authority.
 - g. Any cannabis production operations shall provide parking in accordance with Section 9.19.
 - h. Engineering requirements are as follows:
 - i. Professionally Engineered stamped plans (structural, mechanical, electrical, and fire);
 - ii. Must meet Alberta Building Code and Fire Code provisions for use and occupancy.
 - i. Safety & Health:
 - i. Must adhere to relevant environmental legislation;
 - ii. Must satisfy all public health requirements;
 - iii. An applicant shall provide appropriate information with respect to daily operations pertaining to safety and security, to the satisfaction of the Development Authority.
 - j. Upon issuance of a Development Permit for cannabis production, the applicant shall obtain a Business License from the County. If the business license is not obtained or is revoked or suspended, the Development Permit shall be and remain suspended until the business license is obtained or re-instated.
 - k. Signage shall be as approved by Development Permit.

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APPLICATION REQUIREMENTS:

1. Cannabis production is listed as a discretionary use under the General Industry District. A site-specific amendment may be applied for to allow for the Cannabis production under other land use districts. A Development Permit approval is required in all instances and will be at the discretion of Council, or delegated Approving Authority granted by Council.
2. All applications for Development Permits must be accompanied with the following information:
 - a. A site plan (can be hand drawn) showing:
 - i. the entire parcel;
 - ii. north at the top of the page;
 - iii. identify and show the area intended for the cannabis production including buildings associated with operation;
 - iv. identify and show all existing structures and any proposed buildings with measurements from the same, in feet or metres, to all parcel lines;
 - v. the location of the primary entrance to the site and entrance to any buildings used for the operation;
 - vi. show all existing wells, septic tanks, disposal fields, dugouts on the parcel and storage areas;
 - b. A detailed description the type of cannabis production operation and threshold of cannabis production to occur on the site (ie. Cultivation or processing operation, nursery, micro, or standard);
 - c. Are there any buildings proposed to be used as part of this operation, and if so, for what purposes will they be used for. Please also include the building size and why it is necessary;
 - d. A detailed landscaping, screening, and stormwater plan for the site;
 - e. A copy of a construction safety plan is to be submitted to the County Fire Services;
 - f. Please list details of the proposed security measures for the site;
 - g. Number of people to be employed;
 - h. Provisions for loading and parking;
 - i. Access locations to and from the lot including roads and highways to be used and dust control measures to be implemented;
 - j. Vehicle generation, break down between employees and customers on a daily basis, also please list the types of vehicles to be expected;
 - k. Will there be deliveries to the site, if so, how many and how often. Also, information on what type of delivery vehicles will be used;
 - l. Hours and days of operation;
 - m. Amount of water required for this operation and intended water source;
 - n. Garbage and storage areas and the fencing and screening proposed for same, and methods for disposing of garbage;
 - o. Details of your proposed waste management plan for the site;
 - p. Information on the proposed methods of controlling noise, odour, smoke, or air borne particles inherent to the nature of the operations beyond the boundaries of the parcel;
 - q. Descriptions of any noxious, toxic, radioactive, flammable, or explosive materials proposed (i.e. gas, oil, etc.). Please also include how it is being stored and how much is being stored and why it is necessary to have in relation to this business;
 - r. Any proposed signage;
 - s. If this parcel is not owned by the applicant, then they must receive written consent from the landowner to file an application.
3. The Development Authority may impose the following conditions pertaining to a cannabis production:
 - a. Setbacks from roads, residential and other developments;
 - b. Delivery route requirements and location of access to the lands;
 - c. Provisions providing for security of the site;
 - d. Provision of a waste management plan, completed by a qualified professional that includes detail on:
 - i. The incineration of waste products and airborne emissions, including smell;
 - ii. The quantity and characteristics of liquid and waste material discharged by the operation;
 - iii. The method and location of collection and disposal of liquid and waste material.
 - e. A refundable security deposit in order to ensure compliance with the Development, Building, Safety Codes and Fire permits for the proposed use and occupancy of the development;
 - f. Any other matters deemed necessary by the Development Authority.