



CORPORATE REPORT

To: CAO for the Electoral Area Services Committee
From: Margaret-Ann Thornton, Director of Planning & Development

Date: 2019-10-08

File No: 0340-30-EA Planning Policies

Subject: Land Use Policy for Cannabis Production, Processing and Retail Sales in the Electoral Areas.

RECOMMENDATION

THAT the *Land Use Policy for Cannabis Production, Processing and Retail Sales in the Electoral Areas*, as drafted, be endorsed;

AND THAT staff be directed to implement the *Land Use Policy for Cannabis Production, Processing and Retail Sales in the Electoral Areas*.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services
Foster a Strong & Diverse Economy

DISCUSSION

Further to the September 10, 2019 EASC workshop, Electoral Area Director survey (June 2019) and April 9, 2019 EASC presentation and discussion, the attached policy was prepared to summarize the direction and intent to regulate Cannabis land uses including production, processing and retail sales in each of the Electoral Areas.

There are two (2) general alternatives supported as follows:

Alternative	Electoral Area Supported
Not Encourage Cannabis Production, Processing or Retail Sales. Any proposals for Cannabis land use to be reviewed on a site-by-site basis including public consultation	D, H and F
Support Cannabis Production and Processing land uses, subject to ensuring that all negative impacts are mitigated. Any proposals for Cannabis retail sales to be reviewed on a site-by-site basis including public consultation.	A, B, C, E and G

Given the changing Federal and Provincial legislation regarding Cannabis land uses, the focus is to provide clear land use direction for each of the Electoral Areas, while recognizing that Federal and Provincial legislation may supersede the FVRD policy, such as lands within the Agricultural Land Reserve (ALR).

A policy based upon the direction from EASC is attached for consideration.

COST

All costs in preparation of this staff report and policy are provided for within the approved 2019 Budget.

CONCLUSION

Staff recommends approval of the attached Land Use Policy for Cannabis Production, Processing and Retail Sales in the Electoral Areas.

COMMENTS BY:


Mike Veenbaas, Director of Financial Services:

No further financial comments.

Jennifer Kinneman, Acting Chief Administrative Officer:

Reviewed and supported.

Appendix A

 <p style="font-size: small;">Fraser Valley Regional District</p>	<p>FRASER VALLEY REGIONAL DISTRICT</p> <p>POLICY AND PROCEDURES</p>
<p>SUBJECT: Land Use Policy for Cannabis Production, Processing and Retail Sales in the Electoral Areas.</p>	
<p>EFFECTIVE DATE: FVRD Board Resolution (date)</p>	<p>REVISION DATE:</p>

PURPOSE

To summarize the direction and intent to regulate Cannabis land uses including production, processing and retail sales in each of the Electoral Areas.

POLICY

For all development applications and land use enquiries, the following policy will be referred to for direction to the FVRD Board, the Electoral Areas Services Committee, government agencies, property owners and the general public.

FVRD staff will implement this policy through amendments to the applicable Zoning Bylaws, and other means as applicable.

For Cannabis land uses in the Electoral Areas, the following direction and intent is detailed below:

Cannabis Related Land Use	Land Use Direction	Electoral Area
Retail Sales	Not supported. All proposals to be reviewed on a site-by-site basis including public consultation.	A, B, C, D, E, F, G and H
Cannabis Growing	Not supported. Only to be permitted where Federal and Provincial legislation supersedes FVRD authority and legislation.	D, H and F
Cannabis Growing	Supported subject to ensuring that all negative impacts are mitigated (see below for impacts to be mitigated).	A, B, C, E and G
Cannabis Processing – stand alone land use or accessory with Cannabis Growing or other uses	Not supported. Only to be permitted where Federal and Provincial legislation supersedes FVRD authority and legislation.	D, H and F
Cannabis Processing	Supported subject to ensuring that all negative impacts are	A, B, C, E and

– stand alone land use or accessory with Cannabis Growing or other uses	mitigated (see below for impacts to be mitigated).	G
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Impacts to be Mitigated with all Cannabis Related Land Uses, for all Electoral Areas is detailed below:

Cannabis Land Use Impacts	Processes to Mitigate
To avoid rural communities	Zoning Bylaw: Industrial; Agricultural Zones. Rural Zones if larger lots. Public consultation.
To prohibit Cannabis Use within a residence	Zoning Bylaw: Definition and clarification
Minimize Impacts to Environment (Creeks, etc.)	Zoning Bylaw: Minimum Building Setbacks To require mitigation with Building Permit
Odours	Size of Operation (Micro-Grow or Large Facilities) To require mitigation with Building Permit
Light Spill to Sky & Neighbours	Zoning Bylaw: Locational Criteria: Minimum setbacks from schools; parks, radius to other facilities, etc. To require mitigation with Building Permit
Impacts on Aquifer and water use	To require mitigation with Building Permit
Minimize Wastes	To require mitigation with Building Permit
Limiting use of buildings to Cannabis and Farm Uses (not conversion to non-Agricultural uses)	To require mitigation with Building Permit, including Covenants
Aesthetics/Architectural Building Design	To require mitigation with Building Permit
Public Safety	To require mitigation with Building Permit Coordination with RCMP and Health Canada

PROCEDURE

FVRD staff will undertake Zoning Bylaw Amendments to implement this policy.

All site-specific or general land use enquiries will be advised of this policy.

All Development applications, including Building Permit applications, will be advised of this policy, including the requirement to mitigate impacts with the Building Permit.