

To: Electoral Area Services Committee

Date: 2020-11-10

From: Julie Mundy, Planner 1

File No: 6410-20-37

Subject: Cannabis Regulations in Electoral Areas – Update and Consultation Plan

RECOMMENDATION

THAT the Fraser Valley Regional District endorse the proposed consultation plan to inform updates to cannabis regulations in FVRD Zoning Bylaws and to implement the FVRD Land Use Policy for Cannabis Production, Processing, and Retail Sales in the Electoral Areas.

STRATEGIC AREA(S) OF FOCUS

Foster a Strong & Diverse Economy

Support Healthy & Sustainable Community

Provide Responsive & Effective Public Services

BACKGROUND

There have been significant changes to provincial and federal cannabis legislation in the last two years. This includes the legalization of non-medicinal cannabis. In order to align our bylaws with the current legal framework, amendments are needed to a number of FVRD zoning bylaws. These amendments provide an opportunity to engage with the community and clarify our vision for cannabis land uses in the Electoral Areas.

In October 2019, the FVRD Board adopted a *Land Use Policy for Cannabis Production, Processing and Retail Sales in the Electoral Areas*. The policy summarizes the direction and intent to regulate cannabis in each Electoral Area. Two general alternatives were described and supported:

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

Zoning amendments were undertaken to address immediate concerns and to restrict cannabis production, processing, and retail sales in Electoral Areas D, F, and H (February 2020).

The second phase of zoning amendments will create enabling regulations in Electoral Areas A, B, C, E and G. Public consultation is a key part of ensuring the FVRD drafts amendments that are appropriate for, and accepted by, each community.

DISCUSSION

Staff have not yet had opportunities to discuss the mechanics of the enabling regulations with Electoral Area Directors or the broader community. The proposed consultation is the beginning of this discussion. Key considerations to explore include:

- Level of overall community support for cannabis land uses
- Zones where cannabis land uses will be permitted / prohibited
- Different rules for micro and standard cultivation (size of operation)
- Setbacks from property lines, residences, and watercourses
- Maximum allowable building size for production
- Additional areas of concern

Consultation Goals

To ensure the public consultation is meaningful, staff have established the following goals:

- Gauge the level of community support and interest for cannabis land uses
- Provide consistent information to the public about the types of land uses under consideration (micro cultivation, standard cultivation, processing, retail sales, etc.) and options available for implementing each land use
- Identify common concerns related to cannabis land uses
- Identify regulation that addresses community concerns and interests
- Use the collected information and data to inform zoning bylaw amendments

Consultation Program

Due to restrictions on gatherings and public meetings, much of the proposed consultation will be virtual. It is anticipated that changes to cannabis regulations may generate considerable discussion and may be of interest to a broad spectrum of the public. Staff will make themselves available to the extent possible to ensure individuals, community groups, and industry associations have an opportunity to provide input.

Public Survey

The survey will be made available online and in hard copy, and will ask a range of open and close-ended questions. Participants will be asked to identify which electoral area they reside in and will be given the option to sign up for an email mailing list to receive updates on changes to cannabis regulations in the FVRD. Included in the survey will be some brief information about cannabis licensing types, intended to provide a high-level summary of the topic.

Although zoning amendments have already been completed for Area D, F, and H, the public survey will be open to all residents.

Website and Social Media

The Planning and Development “Projects and Plans” section of the FVRD website will be updated to include information about engagement activities. The official FVRD Facebook and Twitter accounts will be used to post information, and staff will endeavour to have community social media accounts share engagement opportunities.

Physical Signs

Physical signs advertising engagement opportunities will be posted at strategic community locations such as Canyon Lanes Bowling (A), Yale Community Centre (B), Harrison Bay Store (C), Deroche General Store (C), and at FVRD transfer stations. Physical signs were posted to promote the Housing Needs Assessment survey and appear to have had some success.

Phone / Zoom meetings

In place of an open house, staff will make themselves available for phone and/or Zoom meetings to hear from individuals, community groups, and industry associations.

Stakeholder Outreach

Staff will reach out to community associations, ratepayer groups, cannabis industry groups, and other stakeholder groups to raise awareness and invite participation.

Estimated Timelines

Milestone	Target Date
Provide consultation plan to EASC and Board	November 2020
Collect input through virtual engagement <ul style="list-style-type: none">Stakeholder consultation, public survey, social media	December 2020 – January 2021
Report to EASC with <ul style="list-style-type: none">public engagement summaryProposed regulations which address public input	Spring 2021

Staff will report back on all findings from the consultation. Further consultation, including a public hearing, will be undertaken as part of future zoning amendments.

COST

Cannabis zoning bylaw amendments and the associated public consultation are a priority project identified in the Electoral Area Planning department’s work plan. Sufficient funds have been budgeted within the Electoral Area Planning Budget to undertake this work.

CONCLUSION

Updates are needed to align our zoning bylaws with the current legal framework for cannabis. The proposed consultation plan is anticipated to provide staff with the required data to draft appropriate enabling regulations for cannabis land uses in Electoral Areas A, B, C, E, and G.

ALTERNATIVES

Option 1 – Refer back to staff

MOTION: THAT the Fraser Valley Regional District Board refer the proposed consultation plan back to staff.

Option 2 – Zoning Bylaw Amendments and Public Hearing

MOTION: THAT Fraser Valley Regional District direct staff to prepare zoning bylaw amendments and to hold public hearings on the proposed amendments after they receive first reading.

COMMENTS BY:

Graham Daneluz, Director of Planning & Development: Reviewed and supported

Kelly Lownsbrough, Chief Financial Officer/ Director of Finance: Reviewed and supported

Jennifer Kinneman, Chief Administrative Officer: Reviewed and supported.