

To: Fraser Valley Regional District Board

Date: 2024-04-25

From: Andrea Antifaeff, Planner I

File No: 3920-20-1723, 2023

Subject: Consideration of Adoption of Zoning Bylaw Amendment 1723, 2023 to implement cannabis regulations

RECOMMENDATION

THAT the Fraser Valley Regional District Board adopt *Fraser Valley Regional District Zoning Amendment Bylaw No. 1723, 2023*.

BACKGROUND

In April 2017, Canada introduced Bills C-45 (*Cannabis Act*) and C-46, marking a significant move to legalize and regulate non-medical cannabis. The Cannabis Act officially came into force on October 17, 2018. Under these legislative measures, the federal government assumes responsibility for overseeing cannabis production, safety standards, along with criminal regulations.

In response to the national framework, British Columbia enacted the *Cannabis Distribution Act* to manage wholesale distribution and the *Cannabis Control and Licensing Act* to govern sales and licensing. These comprehensive laws extend to the regulation of possession, cultivation, and public consumption of cannabis. Furthermore, the Province empowered local governments to take charge of specific aspects of cannabis production, with a primary focus on land use regulations.

The FVRD Board adopted the *Land Use Policy for Cannabis Production, Processing and Retail Sales in the Electoral Areas* in 2019. The policy summarized the direction and intent to regulate cannabis in each electoral area. The implementation of this policy was separated into two phases. The first phase was completed in March 2020 when zoning bylaws were amended to prohibit cannabis production land uses in Electoral Areas D, E, F and H.

The second phase of implementing the *Land Use Policy for Cannabis Production, Processing and Retail Sales in the Electoral Areas* involves the adoption of zoning regulations to guide cannabis production in the remaining electoral areas. It started in 2021 with a survey of Electoral Area residents, businesses, and cannabis industry groups to obtain feedback on potential regulations. The feedback was incorporated into a zoning amendment Bylaw 1723, 2023 which received first reading from the FVRD Board in November 2023.

The proposed zoning regulations including micro cannabis production facilities and standard cannabis production facilities aim to strike a balance between economic opportunities and clear land use regulations. It provides a framework for potential locations and nuisance concerns.

DISCUSSION

A public hearing for the proposed zoning amendment was held on February 6, 2024. The Board gave second and third readings to the proposed zoning amendment bylaw on February 29, 2024. The Ministry of Transportation and Infrastructure approved Bylaw 1723, 2023 on March 13, 2024, in accordance with Section 52 of the *Transportation Act*. The Board can now adopt Bylaw 1723.

COST

Implementation of the *Land Use Policy for Cannabis Production, Processing and Retail Sales in the Electoral Areas* is a priority project identified in the Electoral Area Planning work plan. Sufficient funds were budgeted within the Electoral Area Planning budget.

CONCLUSION

The proposed amendments to the Fraser Valley Regional District Zoning Bylaw mark a significant step in the implementation of cannabis regulations in the FVRD. The amendments reflect the complex interplay between federal, provincial and local regulations regarding cannabis cultivation and production.

It is recommended that the Fraser Valley Regional District Board adopt *Fraser Valley Regional District Zoning Amendment Bylaw No. 1723, 2023*.

COMMENTS BY:

Hasib Nadvi, Deputy Director of Planning & Development: reviewed and supported

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

Kelly Lownsbrough, Director of Corporate Services/CFO: Reviewed and supported.

Jennifer Kinneman, Chief Administrative Officer: Reviewed and supported.