



**Date:** 19/06/2019

## **AGENDA ITEM SUMMARY**

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**To:** Chair and Directors, Cariboo Regional District Board

**And To:** John MacLean, Chief Administrative Officer

**From:** Havan Surat, Manager of Development Services

**Date of Meeting:** Cariboo Regional District Board\_Jun27\_2019

**File:** 3360-20-20180053

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### **Short Summary:**

Cannabis Regulations – Bylaws 5217 to 5223

### **Voting:**

Stakeholder Vote – Unweighted – All Electoral Areas

### **Memorandum:**

At the June 7, 2019 Board meeting, a Non-Medical Cannabis Retail Sales Policy was endorsed. To complete this process, amendments to the CRD's Zoning and Rural Land Use Bylaws are required. Additional housekeeping amendments for other definitions have also been included to increase clarity. Most of these housekeeping amendments have come to light as a result of day-to-day implementation of the secondary suite, carriage house, and second dwelling bylaw amendments adopted on May 28, 2018. The proposed bylaw amendments include:

- Inserting new definitions: Cannabis; Cannabis Production Facility; and Retail Sales, Cannabis. These definitions will align with current federal and provincial legislation.
- Deleting the definition of Medical Marihuana Operation, as medical and non-medical cannabis production has been consolidated into one definition of Cannabis Production Facility.
- Replacing Medical Marihuana Operation with Cannabis Production Facility as a permitted use in Heavy Industrial zones. The CRD's Zoning and Rural Land Use Bylaws were amended in 2014 to permit the production of Medical Marihuana in Heavy Industrial zones. This amendment will continue to allow cannabis production within Heavy Industrial zones.
- Amending the following definitions to specifically exclude cannabis production: Agricultural Operation; Commercial Nursery and Greenhouse; Home Industry; Horticulture; Manufacturing; Nursery. This will ensure that cannabis production remains permitted within Heavy Industrial zones only.
- Under the Agricultural Land Reserve Use Regulation (BC Reg 30/2019), local governments may restrict production of cannabis within the Agricultural Land Reserve (ALR), but may not prohibit the growing of cannabis outdoors in a field (subject to receipt of Health Canada

permit) within the ALR. The proposed amendment for the definition of Agricultural Operation allows for this statutory exemption.

- As housekeeping, amending the following definitions for clarity: Dwelling Unit; Two-Family Dwelling Unit / Duplex; Principal Dwelling; Water Frontage.
- Development of a Cannabis Licensing Fees Establishment Bylaw for the processing of non-medical cannabis retail sales referral applications received from the Provincial Liquor and Cannabis Regulation Branch (LCRB). It is anticipated that in nearly all cases, under the Non-Medical Cannabis Retail Policy, that applications will require a site-specific zoning amendment in which case only the rezoning application fee of \$1,400 would apply. In other cases where a Provincial referral is received regarding a change of license on a property where the CRD has already approved retail sales of cannabis, the processing fee will be \$1,400 or \$700, depending on whether the LCRB requires public consultation.

**Attachments:**

Cariboo Regional District Chilcotin Area Rural Land Use Amendment Bylaw No. 5217, 2019;  
Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5218, 2019;  
Cariboo Regional District Williams Lake Fringe and 150 Mile House Area Zoning Amendment Bylaw No. 5219, 2019;  
Cariboo Regional District Central Cariboo Area Rural Land Use Amendment Bylaw No. 5220, 2019;  
Cariboo Regional District Quesnel Fringe Area Zoning Amendment Bylaw No. 5221, 2019;  
Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No. 5222, 2019;  
Cariboo Regional District Cannabis Licensing Fee Establishment Bylaw No. 5223, 2019.

**Financial Implications:**

If approved, public hearing costs.

**Policy Implications:**

N/A

**Alignment with Strategic Plan:**

- ☐ Ensuring Sufficient and Sustainable Funding
- ☐ Building on our Relationships
- ☒ Providing Cost Effective High Quality Services
- ☐ Focusing on Being Well Governed

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**CAO Comments:**

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**Options:**

1. Endorse recommendations;
2. Deny;
3. Defer.

**Recommendation:**

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**#1:** That Cariboo Regional District Chilcotin Area Rural Land Use Amendment Bylaw No. 5217, 2019; Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5218, 2019; Cariboo Regional District Williams Lake Fringe and 150 Mile House Area Zoning Amendment Bylaw No. 5219, 2019; Cariboo Regional District Central Cariboo Area Rural Land Use Amendment Bylaw No. 5220, 2019; Cariboo Regional District Quesnel Fringe Area Zoning Amendment Bylaw No. 5221, 2019; and Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No. 5222, 2019, be read a first and second time this 27th day of June, 2019.

**#2:** That Cariboo Regional District Cannabis Licensing Fee Establishment Bylaw No. 5223, 2019, be read a first and second time this 27th day of June, 2019.