

Rezoning Information Package

File Number: 3360-20/20200006

Subject: Quesnel Fringe Area Zoning Amendment Bylaw No. 5260, 2020

Electoral Area: A

Date of Referral: February 11, 2020

Date of Application: January 29, 2020

Property Owner's Name(s): The Lodge @1262 Inc. (Cynthia Clarke and Dewey Swaan)

Applicant's Name: Andrea Hoy

SECTION 1: Property Summary

Legal Description(s): Parcel A (L24256), District Lot 3140, Cariboo District, Plan 20065, Except Plan EPP6773

Area of Application: 0.46 ha (1.15 ac)

Location: 1262 Maple Heights Road

Current Designation:

Highway Service Commercial

Min. Lot Size Permitted:

N/A

Proposed Designation:

No Change Proposed

Min. Lot Size Permitted:

N/A

Current Zoning:

General Commercial (C 1)

Min. Lot Size Permitted:

0.16 ha (0.39 ac)

Proposed Zoning:

Special Exception Service Commercial (C 4-2)

Min. Lot Size Permitted:

0.16 ha (0.39 ac)

Proposed Use: Manufacturing, Packaging, and Distribution of Cannabis-infused Food Products.

No. and size of Proposed Lots: 1 Lot (0.46 ha (1.15 ac))

Name and type of existing road system: Maple Heights Road, Rd

Services Available: Hydro, Telephone, Community Sewer System, Well

Within the influence of a Controlled Access Highway: Yes

Within the confines of the Agricultural Land Reserve: No

Required to comply with the Shoreland Management Policy or Development Permit Areas:

Yes; Highway 97 Corridor Development Permit Area

Name of Lake/Contributing River and Lake Classification: N/A

Adjoining Properties: (Source: B.C.A.A.)

	Land Use:	Lot Sizes:
(a) North	000 Single Family Dwelling	0.29 ha (0.72 ac)
	038 Manufactured Home (Not in Manufactured Home Park)	0.29 ha (0.72 ac)
	200 Store(s) and Service Commercial	0.18 ha (0.46 ac) - 0.26 ha (0.64 ac)
	201 Vacant IC &I	0.2 ha (0.5 ac) – 0.34 ha (0.85 ac)
	228 Automobile Paint Shop, Garages, Etc.	0.2 ha (0.5 ac) - 0.5 ha (1.24 ac)
(b) South	038 Manufactured Home (Not in Manufactured Home Park)	0.37 ha (0.92 ac)
	201 Vacant IC &I	0.12 ha (0.3 ac)
	228 Automobile Paint Shop, Garages, Etc.	0.17 ha (0.42 ac) - 0.34 ha (0.86 ac)
	273 Storage and Warehousing (Closed)	0.39 ha (9.97 ac)
	401 Industrial (Vacant)	0.29 ha (0.74 ac)
(c) East	200 Store(s) and Service Commercial	0.4 ha (1 ac) – 1.21 ha (3 ac)
	201 Vacant IC &I	0.38 ha (0.94 ac)
	260 Parking (Lot Only, Paved or Gravel)	0.32 ha (0.79 ac)
(d) West	000 Single Family Dwelling	0.17 ha (0.43 ac) – 0.28 ha (0.71 ac)
	038 Manufactured Home (Not in Manufactured Home Park)	0.16 ha (0.42 ac) – 0.35 ha (0.87 ac)

SECTION 2: Planning ReportBackground:

It is proposed to rezone a 0.46 ha (1.15 ac) subject property to allow for manufacturing, packaging and distribution of cannabis-infused food products. The subject property is currently zoned as General Commercial (C 1) in the Quesnel Fringe Area Zoning Bylaw No. 3504, 1999 and is designated as Highway Service Commercial in the Quesnel Fringe Area OCP Bylaw No. 4844, 2014.

The proposed business of producing food products (mainly chocolates) containing cannabis extracts does not comply with the permitted land use provisions under the current zoning of C 1. Generally, the proposed use would fall under the definition of Cannabis Production Facility which is only permitted in Heavy Industrial zones. However, the potential impacts and infrastructure demands of the proposal would be much less than a cultivation, production, or other cannabis processing use.

Therefore, the applicant has requested to rezone the subject property from General Commercial (C 1) zone to Special Exception Service Commercial (C 4-2) zone. This will allow the existing building to be used for manufacturing chocolates infused with government licensed cannabis extracts. The proposed business will be contained within the existing building without any exterior modifications or additions.

The Quesnel Fringe Area Zoning Bylaw No. 3504, 1999 is proposed to amend by including Section 5.4.3.2 as follows:

5.4.3.2 Special Exception C 4-2 Zone (3360-20/20200006)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned C 4-2, permitted non-residential uses shall include:

(b) NON-RESIDENTIAL USES:

- i) Manufacturing, processing, packaging, and distribution of food products infused with government licensed cannabis extract, but not including the growing of cannabis plants, or the production of cannabis extracts on premises;

(c) CONDITIONS OF USE:

No activity may be undertaken which constitutes a nuisance to surrounding areas by reason of unsightliness or odours. Nor may any activity be undertaken which creates or causes a health, fire, or explosion hazard or electrical interference. Noise abatement measures in the form of screening may be required.

All other provisions of the C 4 zone shall apply.

Location & Surroundings:

The subject property is located on Maple Heights Road in proximity to Cariboo Highway 97 South as shown in Appendix B. There is a building of 99.42 sq. m (1070.15 sq. ft) in size existing on the property which is currently used for renting out to host any kind of social events. About 1/3 of the property is covered in grass and the remaining 2/3 is either paved or gravel with some tree buffers on the southern boundary. It is mostly surrounded by general industrial parcels to the south and east, service commercial lot to the north, and single-family dwellings to the west of the subject property.

CRD Regulations and Policies:

3504- Quesnel Fringe Area Zoning Bylaw, 1999

5.4 SERVICE COMMERCIAL (C 4) ZONE

5.4.2 ZONE PROVISIONS

- (a) LOT AREA (minimum) = 0.16 hectares (0.39 acres)
(Served by community water or by community sewer)

4844- Quesnel Fringe Area OCP Bylaw, 2014

7.0 COMMERCIAL

7.3 POLICIES

- HIGHWAY SERVICE COMMERCIAL

7.3.12 Land uses on the Highway 97 Corridor should demonstrate:

- low water usage;
- low air emissions relevant to the airshed boundary;
- low or recyclable solid and liquid waste disposal requirements;
- compatibility with the surrounding environment and land uses; and,
- consideration of vehicle and pedestrian movement, particularly movement crossing the highway.

Rationale for Recommendations:

Planning staff are supportive of the proposed zoning amendment application. The intended cannabis edibles production facility complies with policies contained within the Quesnel Fringe Area OCP. The proposal has minimal impacts concerning intensive odours, unsightliness, and excessive water consumption/disposal.

The type of cannabis used will be the government licensed cannabis distillate extract which is a refined product that produces minimum odour. As per federal regulations, an HVAC air purification system is required to be installed which will further eliminate any possible odours. The production of cannabis-infused chocolates generally does not require water usage at all. The water consumption and disposal, therefore, will be limited to weekly cleaning of the chocolate machinery, molds, and washroom facilities used by approximately 5-8 employees. Thus, not burdening the current infrastructure.

Further, the traffic and noise will be limited to staff parking and scheduled deliveries as the on-site sales of the manufactured product to the public is prohibited. To ensure safety, various security systems will be installed including indoor and outdoor cameras with interior bars on windows screened by blinds along with alarm systems to protect the facility.

As there is no cannabis cultivation on-site and the intended business will be confined within the existing building with no exterior additions and changes, the potential impact on the neighboring properties should be minimal. Further, the proposed zoning aligns with the existing OCP designation. Therefore, planning staff recommends approval of this application.

A Development Permit would be required for any future external modifications including structural changes, exterior landscaping or peripheral fencing as the property is located within the Highway 97 Corridor Development Permit (DP) Area under the Quesnel Fringe Area OCP which regulates the form and character of commercial and light industrial developments along the highway.

Recommendation:

1. That the Quesnel Fringe Area Zoning Amendment Bylaw No. 5260, 2020 to rezone Parcel A (L24256), District Lot 3140, Cariboo District, Plan 20065, Except Plan EPP6773 from General Commercial (C 1) zone to Special Exception Service Commercial (C 4-2) zone be approved.

SECTION 3: Referral Comments

Health Authority: -

Ministry of Transportation and Infrastructure: - March 9, 2020

The Ministry of Transportation and Infrastructure has no objection in principle to the proposed rezoning application. The application is subject to approval pursuant to Section 52 of the Transportation Act.

Please note this in no way constitutes subdivision approval.

Advisory Planning Commission: February 20, 2020

See attached.

Ministry of Environment: -

SECTION 4: Board Action

Date of Meeting: April 17, 2020

That Quesnel Fringe Area Zoning Amendment Bylaw No. 5260, 2020 be read a first and second time this 17th day of April, 2020.

ATTACHMENTS

Appendix A: Bylaw No. 5260

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: Applicant's supporting documentation
Advisory Planning Commission Comments
Results of Public Hearing



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5260

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3504, being the "Quesnel Fringe Area Zoning Bylaw No. 3504, 1999".

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a Zoning bylaw after a public hearing and upon the affirmative vote of the Directors.

WHEREAS an application has been received to rezone property.

NOW, THEREFORE, the Board of Directors of the Cariboo Regional District, duly assembled, hereby enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as the "Quesnel Fringe Area Zoning Amendment Bylaw No. 5260, 2020".

2. AMENDMENT

Bylaw No. 3504 of the Cariboo Regional District is amended by:

- i) Including Section 5.4.3.2 into Schedule "A" as follows:
5.4.3.2 Special Exception C 4-2 Zone (3360-20/2020006)
Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned C 4-2, permitted non-residential uses shall include:
 - (b) NON-RESIDENTIAL USES:
 - i) Manufacturing, processing, packaging, and distribution of food products infused with government licensed cannabis extract, but not including the growing of cannabis plants, or the production of cannabis extracts on premises;
 - (c) CONDITIONS OF USE:
No activity may be undertaken which constitutes a nuisance to

surrounding areas by reason of unsightliness or odours. Nor may any activity be undertaken which creates or causes a health, fire, or explosion hazard or electrical interference. Noise abatement measures in the form of screening may be required.

All other provisions of the C 4 zone shall apply

- ii) rezoning Parcel A (L24256), District Lot 3140, Cariboo District, Plan 20065, Except Plan EPP6773 from General Commercial (C 1) zone to Special Exception Service Commercial (C 4-2) zone; and
- iii) amending Schedule "C" accordingly.

READ A FIRST TIME THIS 17th DAY OF April, 2020

READ A SECOND TIME THIS 17th DAY OF April, 2020

A PUBLIC HEARING WAS HELD ON THE 25th DAY OF June, 2020

READ A THIRD TIME THIS _____ DAY OF _____, 2020

APPROVED UNDER THE "TRANSPORTATION ACT" THIS _____ DAY OF _____, 2020

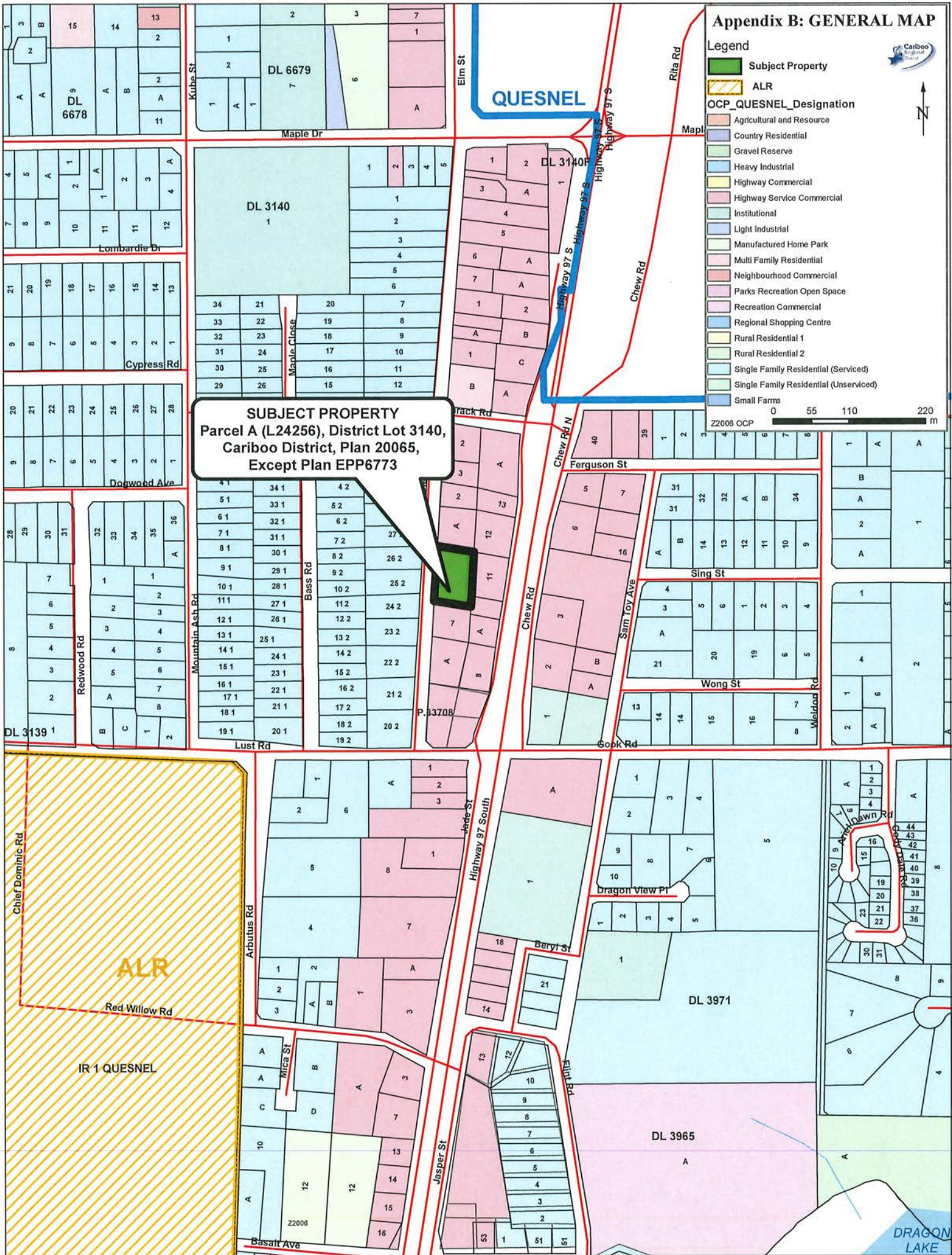
ADOPTED THIS _____ DAY OF _____, 2020

Chair

Manager of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5260 cited as the "Quesnel Fringe Area Zoning Amendment Bylaw No. 5260, 2020", as adopted by the Cariboo Regional District Board on the day of _____, 2020.

Manager of Corporate Services



L1 PL
EPP6773

L12 PL 20065

Area
+/- 0.46 ha

+/- 79.68 m

+/- 53.96 m

+/- 2.37 m

L11 PL 20065

Area
+/- 99.42 sq m

+/- 2.32 m

+/- 4.7 m

DL
3140

+/- 54.07 m

+/- 90.61 m

L10 PL 20065
EXC PL 33259

L7 PL 20065

APPENDIX C: SPECIFIC MAP



Subject Property



PROPOSED SPECIAL EXCEPTION
SERVICE COMMERCIAL (C 4-2)

0 4.5 0 9 m

MEASUREMENTS
ARE METRIC

Z2006 OCP



Maple Heights Rd

Appendix D: GENERAL MAP ORTHO

 Subject Property

 ALR



0 20 40 80 m Z2006 OCP



SUBJECT PROPERTY
Parcel A (L24256), District Lot 3140,
Cariboo District, Plan 20065,
Except Plan EPP6773



JAN 29 2020

Referred To
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Describe the existing use of the subject property and all buildings:

The Lodge is currently rented out to persons wishing to host any manner of events. Examples: Craft fairs, private parties, dance lessons, home shows etc.

Describe the proposed use of the subject property and all buildings:

The manufacturing and packaging of chocolates. These chocolates will be infused with cannabis extract.

We are working towards getting federally licensed to produce chocolates which will be distributed to licensed dispensaries across Canada via the governing provincial authority. There will not be any sales to the public or dispensary via this location.

Describe the reasons in support for the application:

The manufacturing and packaging food products falls under M1 zoning. Extracts will be purchased from government licensed processors. No cultivation of cannabis will take place on site.

Water use will not be anymore than the previous Pub's usage thus we will not burden the current infrastructure.

All manufacturing will take place in the existing building and any odours will be eliminated through a federally required air filtration system. The Lodge currently has an air filter in place which we can use so we will not see any changes to the building's exterior.

Traffic and noise will be kept to a minimum as only staff and scheduled/authorized delivery trucks have reason to enter the facility. The chocolate machinery creates minimal noise which will not permeate beyond the walls of the building. It is recognized that usage of the Maple Heights entrance has triggered some complaints in the past. We would like to address that these complaints were likely from late night party-goers leaving the premises in an obnoxious manner. We can assure that this kind of activity will not occur under the new use of the facility as it will be a place of commercial manufacturing. There will likely be a decrease in traffic as the high attendance of markets and parties will no longer be occurring.

Layers of security as required on the federal level will be attained within the building via indoor and outdoor security cameras, interior bars on windows, which will be shielded from view with the use of interior blinds, glass break alarms and keypad entry of storage rooms containing extracts and finished products. It is in our best interest to have the required security features be as inconspicuous as possible to avoid unwanted attention.

Provide a general description of the vegetation cover (i.e. Treed, grassland, forage crop etc.)

There is grass on the north side of the the property which takes up about 1/3 of the area and 2/3 are either paved or gravel.

JAN 29 2020

Referred To
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Requirements for Specific Application Types

We are proposing a special exemption zone for the currently zoned C1 property. We propose a special exemption for M1-2 to manufacture food products with cannabis extracts as the current M3 zoning for cannabis manufacturing was put in place with cultivation in mind.

A cannabis **cultivation** operation would raise the concerns of:

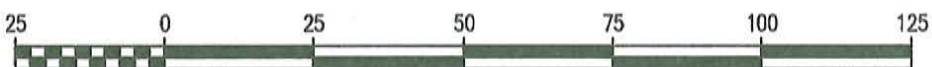
1. Uncontrolled cannabis odours - Most of the the odour derives from the marijuana flower and we will be using a refined product
2. Unsightly greenhouses and filtration units - A commercial cannabis cultivation operation requires many square feet of green houses and light/temperature/humidity control equipment which requires 24 hour energy consumption
3. Excessive water consumption - A commercial cannabis cultivation consists of thousands of plants in different stages of growth which requires heavy usage of water for growth and to flush out fertilizers

As a cannabis **edibles** production facility we will not be creating any of these issues:

1. Cannabis distillate extract has zero cannabis odour as it is removed in the process of making it. The federal regulations require an HVAC air purification system to be installed. Any odours that may be produced will be fully eliminated by this system.
2. We will not be adding any new buildings or changing the exterior look of the building - No greenhouses will be situated on the property and we can use the existing filtration system
3. We are producing a product where it is crucial that water does not come into contact with it. Water will actually ruin the product. Water consumption will be limited to weekly cleaning of the chocolate machinery and moulds. There will be approximately 5-8 employees using the washroom facilities flushing the toilets and handwashing
4. Traffic will be limited to staff parking and scheduled deliveries

The current M3 zoning for cannabis manufacturing is not appropriate for producing food grade products. Currently the only spaces available in M3 are truck shops and the industries at work are in wood manufacturing and metal fabrication. This area is not sanitary for food production because of the poor air quality and ground pollution due to logging trucks and heavy industry.

We will be creating jobs and bringing economic wealth to the Cariboo Regional District. With the decline of forestry it would be in Quesnel's best interest to embrace the new and burgeoning cannabis industry that Canada is pioneering.



All distances shown are metric.

PID's 010-216-910, 010-216-723

Arranged by: Steve Severeid- cel 250-316-6002
Inquiry & request August 28th, 2015Owner - The Lodge @1262 Inc.- Cyndie Clarke
Field survey September 1st, 2015

Drawing completed October 25th, 2015

Cariboo Regional District
File No.

JAN 29 2020

Referred To

Legend:

indicates subject property boundaries

- Fd indicates iron post found
- Wo RP indicates wooden reference post
- hp indicates hydro pole
- △ sk indicates set painted stake
- o/a indicates offset

Boundary dimensions are derived from plan(d), field measurements(m) and calculated(c). The accuracy of this survey and plan is adequate for the purpose of verifying the locations of property corners for the client's purposes.

This plan was prepared for the exclusive use of our client. All rights reserved. No person may copy, reproduce, transmit or alter this document in whole or in part without the consent of the signatory.

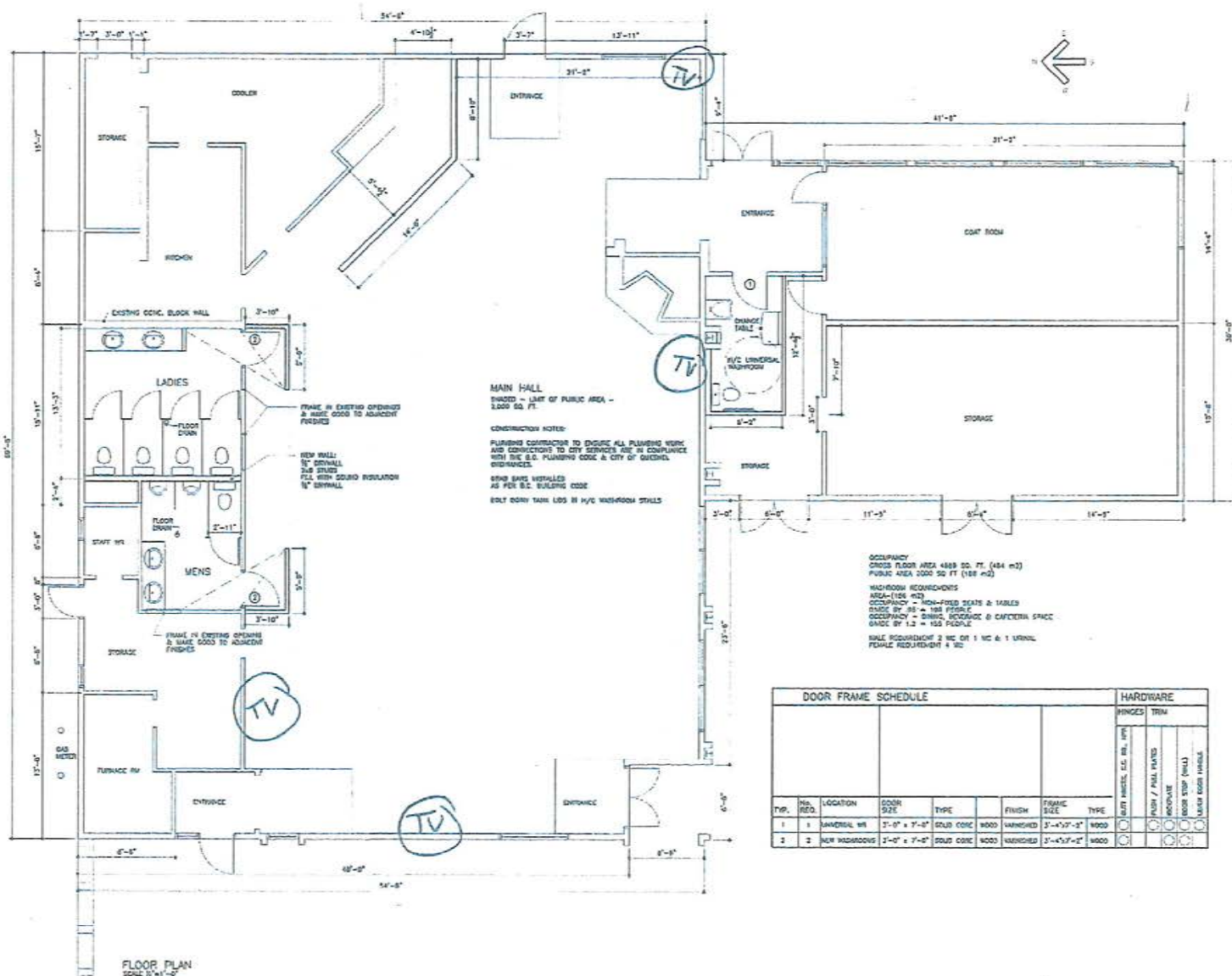
The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document.

I have inspected the vacant and commercial properties shown at 1271 Jade Street and 1262 Maple Heights Road and hereby certify that the said corners are situated with respect to perimeter boundaries as shown on this sketch. This document is prepared in accordance with the standard of practice manual. This document is requested for future fence construction.

Field survey completed the 1st day of September, 2015.

JAN 29 2020

Referred To



No.	CVE	Description
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PROJECT TIME
THE LOOSE
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QUESTEL, S.C.

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RESTROOM

PRICE	IN.	40-10
STORY		8-4
COLOR		12
SCALE		
DATE		NOV 18, 2013
PRINTED		NOV 18, 2013

ACROSS 10
OF 10

A-1

30 - 177 VICTORIA ST., PRINCE GEORGE, BC V2L 5R8
PHONE (250) 564-7205 FAX (250) 564-7286
MAIL bcinfo@us.net

CHERNOFF THOMPSON ARCHITECTS NORTH

ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'A' advisory planning commission held on *Feb 20/2020*
 in the *CRD Office*, located at *Quenel*, BC, commencing at

PRESENT:

Chair

Dave Moffatt

Members

*Caroline Mitchell**Ted Armstrong**Mary Sales*

Recording Secretary

Doug SERVICE

Owners/Agent, or

☐ Contacted but declined to attend*Andrea Hoy***ABSENT:***Vinice Berlinguette***ALSO PRESENT:** Electoral Area Director

Staff support (if present)

*Mary Systrom*Agenda Items

REZONING APPLICATION – 3360-20/3360-20/20200006 Parcel A (L24256), District Lot 3140, Cariboo District, Plan 20065, Except Plan EPP6773)

: "THAT the application to rezone property at 1262 MAPLE HEIGHTS ROAD, be supported/rejected for the following reasons:

i)

ii)

All in Favour.

For:

Against:

*CARRIED/DEFEATED*Termination

/

: That the meeting terminate.

CARRIED

Time:

11:10

Recording Secretary

Chair

D. B. Moffatt

RESULTS OF PUBLIC HEARING

File No: 3360-20/20190063 3360-20/20200006 3360-20/20190062

Date: June 25, 2020

Location: VIA Teleconference

Re: **NORTH CARIBOO AREA RURAL LAND USE AMENDMENT BYLAW NO. 5250, 2019, QUESNEL FRINGE AREA ZONING AMENDMENT BYLAW NO. 5260, 2020 and CHILCOTIN AREA RURAL LAND USE AMENDMENT BYLAW NO. 5251, 2019**

Persons Present:

- ☒ Chair: Margo Wagner
 - ☒ Directors: Mary Sjostrom – Electoral Area “A” and Gerald Kirby – Electoral Area “J”
 - ☒ Owner(s): Ralph & Trevor Norn; Carol & Walter Foster
 - ☒ Agents: Brian Bennette, Andrea Hoy, Pat Gunderson, Mike Wolfram
 - ☐ Public: See attached list
 - ☒ Staff: John MacLean, Chief Administrative Officer; Nigel Whitehead, Senior Planner; and Shivani Sajwan, Planning Officer
 - ☒ **No public in attendance** (excluding owner/agent)
-

☒ Roll call conducted by Planning Staff.

☐ **Waited ten (10) minutes and then called the meeting adjourned.**

☒ Welcome, introduction and the “Purpose of a Public Hearing”, including the rules for the meeting were read out by Chair Wagner. The hearing was called to order at _6:00 pm_____.

☒ Chair turned the meeting over to Director Sjostrom who read out the specifics of the application for BL 5250.

☐ Director Sjostrom read out public comments received within the last 48 hours.

☒ No comments received within 48 hours.

☐ The following verbal comments were received: (add additional sheet if required)

Comments in favour:

Comments of concern/opposition:

☐ Director Sjostrom read out the following public comments received during the public hearing: (attached)(add additional sheet if required) ☒ No comments received.

1) Date: _____ Name: _____

2) Date: _____ Name: _____

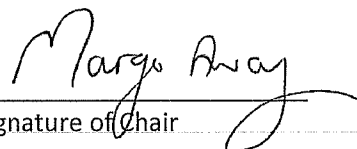
☒ Attendees were asked three times for further comments and/or questions.

- ☒ Chair turned the meeting over to Director Sjostrom who read out the specifics of the application for BL 5260.
- ☐ Director Sjostrom read out public comments received within the last 48 hours. ☒ No comments received within 48 hours.
- ☐ The following verbal comments were received: (add additional sheet if required)
Comments in favour:
- Comments of concern/opposition:
- ☐ Director Sjostrom read out the following public comments received during the public hearing: (attached)(add additional sheet if required) ☒ No comments received.
- 1) Date: Name:
2) Date: Name:
- ☒ Attendees were asked three times for further comments and/or questions.
-

- ☒ Chair Wagner read out the specifics of the application for BL 5260
- ☐ Chair Wagner read out public comments received within the last 48 hours. ☒ No comments received within 48 hours.
- ☐ The following verbal comments were received: (add additional sheet if required)
Comments in favour:
- Comments of concern/opposition:
- ☐ Chair Wagner read out the following public comments received during the public hearing: (attached)(add additional sheet if required) ☒ No comments received.
- 1) Date: Name:
2) Date: Name:
- ☒ Attendees were asked three times for further comments and/or questions.
-

- ☒ The Chair called the meeting adjourned at __6:11 pm__.

I certify this is a fair and accurate report on the results of the public hearing.


Signature of Chair

Genny Hilliard

Subject:

FW: Public Hearing, 25 June 2020

To whom it may concern,

I understand that a hearing is happening on 25 June but that it is closed to the public because of Covid-19.

I am writing in regards of the application for rezoning for the old "The Lodge" at 1262 Maple Heights Rd. My understanding is that a cannabis retail store is to be possibly opened there. As a resident who lives on Maple Heights Road, I oppose this as we already have numerous cannabis stores in Quesnel. Not only that, less than 500 m away is an elementary school. I understand that with the legal laws changing, this will probably be a commonplace thing to have cannabis stores all over the place. But honestly, Quesnel does not need more.

Thank you,

Anne Doerksen

1039 Maple Heights Rd

250-991-2772

Public Hearing Attendance

Date of Public Hearing: June 25, 2020

Application: 3572 and 3580 Durrell Road (3360-20-20190063)

Name	Address
Brian Bennett - Agent	
Ralph and Trevor Norn - Applicant	

Application: 1262 Maple Heights Road (3360-20-20200006)

Name	Address
Andrea Hoy - Agent	

Application: Tatla Lake Area (3360-20-20190062)

Name	Address
Pat Gunderson - Agent	
Carol and Walter Foster - Applicant	