



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3

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MEMORANDUM

TO: ACRD Board of Directors

FROM: Alex Dyer, MCIP, RPP, Planner

MEETING DATE: February 26, 2020

RE: Public Hearing Report for Bylaw P1399 (Cannabis Production Regulations)

Recommendation:

THAT the Board of Directors receive the public hearing report.

THAT the Board of Directors receive the public hearing minutes.

THAT Regional District of Alberni-Clayoquot Zoning Text Amendment Bylaw P1399 be read a third time.

Background: A second public hearing for Bylaw P1399 was held on Tuesday, February 18, 2020 at the Cherry Creek Community Hall, 3720 Moore Road, Port Alberni, BC. The public hearing was chaired by John Jack, Chairperson of the ACRD Board of Directors. The hearing was also attended by Board Directors Tanya Shannon (Beaufort), Kel Roberts (Long Beach), Penny Cote (Sproat Lake), John McNabb (Beaver Creek), Dianne Bodnar (Cherry Creek) and Rachelle Cole (District of Ucluelet). In attendance from ACRD staff were Douglas Holmes, Alex Dyer, Charity Hallberg Dodds, Amy Anaka and Sarah Holden. There were 72 members of the public in attendance at the public hearing.

There were 39 letters from the public received by 4:00 pm on February 18th. Copies of these letters were made available to the public and are attached to the minutes as Appendix 'B'. Any additional letters, submissions, written presentations or correspondence received from the public at the hearing are attached to the minutes as separate appendices. The agency referral responses received at the first public hearing were made available to the public and received again at this hearing. The agency referral comments are attached to the minutes as Appendix 'C'.

Planning staff presented staff comments relating to the bylaw prior to receiving verbal representations from the public in attendance. Planning staff discussed the purpose of the second public hearing for Bylaw P1399, detailed the current zoning regulations and those proposed under Bylaw P1399 and discussed the ACRD's ability to regulate cannabis production in general. The notes for the planning staff presentation are attached to the minutes as Appendix 'A'. A staff submission detailing the types of cannabis production permitted under federal legislation and the ACRD's ability to regulate production was made available to the public and is attached to the minutes as Appendix 'D'.

RT19009

Members: City of Port Alberni, District of Ucluelet, District of Tofino, Yuułuᑦᐱᐱᐱᐱᐱᐱ Government, Huu-ay-aht First Nations, Uchucklesaht Tribe, Toquaht Nation
Electoral Areas "A" (Bamfield), "B" (Beaufort), "C" (Long Beach), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek)

Planning staff recommend that Bylaw P1399 be given third reading as presented.

Prepared by: 

Alex Dyer, MCIP, RPP
Planner

Approved by: 

Douglas Holmes, BBA, CPA, CA
Chief Administrative Officer

RT19009

Members: City of Port Alberni, District of Ucluelet, District of Tofino, Yuułuʔiłʔatḥ Government, Huu-ay-aht First Nations, Uchucklesaht Tribe, Toquaht Nation
Electoral Areas "A" (Bamfield), "B" (Beaufort), "C" (Long Beach), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek)



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

Minutes of a Public Hearing held on Tuesday, February 18, 2020 at 7:00 pm at the Cherry Creek Community Hall, 3720 Moore Road, Port Alberni BC.

Present: John Jack, Chair of the Board of Directors
Staff: Douglas Holmes (CAO), Alex Dyer (Planner), Amy Anaka (Planner), Sarah Holden (Jr Planner) and Charity Hallberg Dodds (Planning Assistant)
Directors: Dianne Bodnar (Cherry Creek), John McNabb (Beaver Creek), Tanya Shannon (Beaufort), Kel Roberts (Long Beach), Penny Cote (Sproat Lake) and Rachelle Cole (Ucluelet)
Members of the Public: 72

1. Chair Jack introduces himself and thanks everyone for coming. He apologizes for starting at 7:02 pm due to getting the Speakers' List in order. The hearing was called to order at 7:02 pm. Chair Jack recognizes that we are conducting our business on the territories of the Hupacasath and Tseshah First Nation. Not only be recognized but appreciated as well. He then introduces ACRD Directors and staff.
2. Chair Jack:
This public hearing is for Bylaw P1399. This bylaw increases regulations for cannabis production in all areas of the Regional District. If you have questions or comments about anything unrelated to the increase in regulations, please discuss with staff after the conclusion of the hearing. The hearing itself is about the regulation. I now call on staff to read out the notice of public hearing.
3. The notice is read by Alex Dyer as follows:

A Public Hearing for residents and property owners within all Electoral Areas of the Regional District of Alberni-Clayoquot (ACRD) will be held to consider Bylaw P1399. This bylaw is a text amendment to the ACRD's zoning bylaw and will increase regulations related to cannabis production in all Electoral Areas of the Regional District.

The Public Hearing will be held by the Chairperson of the Regional District or the Chairperson of the Electoral Area Directors Committee. The Board resolution making this delegation, along with Bylaw P1399 and relevant background documents, is available for review and discussion with Planning staff at the ACRD office during normal office hours, 8:00 am to 4:30 pm, Monday through Friday, excluding statutory holidays, from February 5, 2020 to February 18, 2020 inclusive.

Anyone who feels their interest in property will be affected by the proposed bylaw will be afforded a reasonable opportunity to be heard. Options include attending the Public Hearing and/or submitting correspondence to the ACRD by one of the following methods:

Hard copy provided at the Public Hearing, in person at the ACRD office or by mail to the Planning Department to the address below.

Email sent to planning@acrd.bc.ca before 4:00 pm, February 18, 2020. Email correspondence will only be considered received if receipt confirmation is provided by ACRD staff.



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

Facsimile sent to 250-723-1327 before 4:00 pm, February 18, 2020. Facsimile correspondence will only be considered received if receipt confirmation is provided by ACRD staff.

All correspondence submitted prior to the Public Hearing must be received by the ACRD no earlier than 8:00 am on February 5, 2020 and no later than 4:00 pm on February 18, 2020. Correspondence submitted and/or received outside of these parameters will not be included in the Public Hearing.

4. Chair Jack:
Thank you. The ACRD Board of Directors and staff recognize that cannabis legalization and production is a very controversial subject. It's very sensitive as well. Not only within our Regional District, but across the province and the country as a whole. We are here to receive input, on the increased regulations for cannabis production, from as many members of our communities as possible. Please do your best to present your position in a clear and respectful manner. It is important that everyone feels comfortable and has an opportunity to speak. Clapping, cheering, jeering and yelling out comments will not be received or tolerated. We have a speaker's list for a reason. With consideration to time, we would appreciate your comments once, and not repeated at the cost of another person's opportunity to speak. That being said, once I get through the entire speaker's list that has been established, the floor will be opened up for people to line up and have their say. We are not here to suppress anyone's speech, but I would recognize that we have 13 total speakers just on this list alone. If everyone took 5 minutes, that would be 65 minutes. Not too bad but then we also want time for other people to speak afterwards if need be. So please be concise and clear with your comments. With that in mind, the Regional Board will receive full minutes before voting on the bylaw. Staff is recording this hearing to ensure accuracy of the minutes. So that is why we have a recording device and people taking notes. I now ask staff to present the bylaw and its regulations.
5. Alex Dyer:
Presents the bylaw as per notes (Appendix 'A') which includes reference to correspondence received ahead of the public hearing (Appendix 'B'), referral agency comments (Appendix 'C') and types of production handout (Appendix 'D').
6. Chair Jack:
We will get to the point where we will hear input from members of the public. I'm going to start with the record of speakers I have here. When I say your name, please come to the podium and confirm your name and address before giving comments. Comments are to be directed to myself, the Directors and staff. Any discussion within the crowd, or between the crowd and the speaker, will not be guaranteed to be recorded and I will actively discourage any speaker from talking to the crowd, rather than to me. I am running the meeting. What I want from people making presentations is to speak to me, or the front in general. We do have a PA system and you should be able to alter the elevation of the microphone. Please speak clearly and we'll start with 2 names, so we have one on deck when one is speaking, to keep things moving.
7. Jocelyn Finley, 8262 Meshers Road:
I'd like to thank all of you for taking your time to be here this evening. I appreciate the chance to have public input and I appreciate everyone else who have come to the meeting as well. My address is 8262 Meshers Road and my name is Jocelyn Finley. I live in Beaver Creek in the Beaufort region and I'm a teacher in our community. As a teacher, I work with a community who in part is made up of first nations people who, I think we can all recognize, are all heavily impacted by the effects of colonialization. One of those



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

impacts, unfortunately, have been a legacy of substance abuse. And while I'm not here to specifically speak to the Beaver Creek proposed development, that is that context in which I am speaking. I am generally in favour of legal access to cannabis and legal production. I appreciate that you guys have taken the time to create a bylaw that looks at that. One of the things that I feel is missing from the bylaw is a specific reference to context. The context of locality. The proposed facility for example, that might go into Beaver Creek is directly across from a first nations treatment centre. The larger context of that would be the truth and reconciliation committee. I am going to read to parts of their recommendations and the recently passed legislation in British Columbia under it. One of the recommendations in the truth and reconciliation committee is from health and is says "we call upon the Federal, Provincial, Territorial and Aboriginal governments to acknowledge that the current state of aboriginal health in Canada is a direct result of previous Canadian government policies, including residential schools, and to recognize and implement the health care rights of aboriginal people as identified in international law, constitutional law and under the treaties". And so, your proposal for the bylaw, especially considering that we are on seated territory, should take this into consideration. Especially when you are siting facilities. Excuse me why I scroll down and find my second piece that I would like to site. The second piece that I would like to site from the recommendations of the truth and reconciliation committee considers businesses and reconciliation. It suggests, or it asks, is requests that we "commit to meaningful consultation", which I believe we are doing here, "building respectful relationships". Your bylaw, I think, needs to consider whether or not its building a respectful relationship with the communities in the context in which, these facilities will be sited. Locating a production facility within the immediate vicinity of a treatment centre, or a school, or a hospital, especially considering the substance abuse issues in our community and as a vestige of colonialization, is something that I think needs further consideration in the writing of the bylaw. Finally, further to my point of contextualization, Beaver Creek is an agriculturally based community and while, yes, Health Canada recognizes that cannabis production is in fact a agricultural undertaking, I think placing a facility within the context of family farms and an already deeply degraded environment, is another aspect that needs to be considered when looking at the bylaw. Thank you very much for listening to me and have a lovely evening.

8. Chair Jack:

Thank you for your comments. Alex has something to add quickly.

9. Alex Dyer:

I just want to touch briefly on the Beaver Creek facility because I know a lot of people here are concerned about that and are going to want to talk about it. To give some background, the proposed facility in the Beaver Creek area is in the vicinity of the Kackaamin Family Development Centre. The building permit application for this facility was received in February 2018. It is considered a permitted use under the existing medical marihuana zoning regulations which were adopted in 2014. The proposed facility is located within the ALR where cannabis production is considered a designated farm use. Placement of fill application to the ALC was approved by the commission in January of 2020 and the requirements of the building permit application are being finalized following the placement of fill approval. The ACRD has not yet issued a building permit on this facility but based on Provincial legislation and case law, the ACRD cannot withhold a building permit for structure that complies with current zoning and BC building code requirements. The proposed facility appears to comply with all ACRD requirements and we are not aware if any legal basis where, upon which, the building permit application may be denied. I just wanted to clarify that.



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

10. Chair Jack:
Thank you Alex and thank you Reg for being patient.
11. Reg Cocks, 9351 Central Lake Road:
Here we are again. My name is Reg Cocks, 9351 Central Lake Road. I think we are quite fortunate that Wild Coast Cannabis is looking elsewhere. I think that's a good thing. I think a lot of it is with the downturn of the market across North America kind of took the pressure off us. I think this bylaw is a good first step, and I think there's a lot more that needs to be done down the road. To prevent, if the market changes, to prevent this from coming around again. It would be a good idea if the ACRD could find suitable property for these places to do their thing, away from any human habitat. Be that you create an industrial zone wherever, but it has to be further than what you have now for setbacks. They're not acceptable. Our group has done a lot of research and these big operations should be a lot further away than the setbacks we have. But that can be changed down the road. But what we have, we should go with it. We've been playing with this for awhile now, lets move forward and see what we can do together down the road to make it better for future operations wanting to do business here. We're not against the cannabis industry but it has to be acceptable to all the people. And first and foremost, the Board represents we the people. And we should come before any of these businesses. The same with Kackaamin. I can't believe that its gone to the point that it has. That should have been squashed right at the get go. It should not be happening there. Its mind boggling that it is taking place, that is got to this point. That's all I have to say.
12. Chair Jack:
Thank you. Next up is Sherry Lyons.
13. Sherry Lyons, 9401 Central Lake Road:
My name is Sherry Lyons and my husband and I have a little farm on Central Lake Road, 9401. We have been there for 20 years and it's been a little slice of paradise. It's a small farming community. Everybody is on a well out there. Its limited water so that's a really huge concern for all of us that are out there. We want to be able to continue to grow food. Having a big cannabis operation really does threaten that. It threatens all of our homes out there. Not to mention, your home is the most expensive thing you'll ever buy. It's the biggest investment you'll ever make. For the Board to even consider allowing a big company to come in and ruin that for us is unacceptable. I can't understand why the Board would even consider that position. There are places where you could put them that are out of town somewhere, where they're not bothering people. They don't belong anywhere near residential, Provincial parks, bodies of water. The Beaver Creek facility has surface level water running through it. And that's all going to run right into town. And I don't get this. Anyways, I have a letter here that I would like to read from one of the councilors of Winnipeg. One of our members has reached out to him and was looking for some information because they were having problems there as well. I'm sure everybody is having these issues. Sherry reads letter (Appendix 'E').
14. Chair Jack:
Please share this correspondence with us and provide a copy. Mike Steinbach is next followed by Nicole Steinbach.
15. Mike Steinbach, 7620 Bainbridge Road:



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

I'm Mike Steinbach and I live at 7620 Bainbridge Road. I have water rights to Beaver Creek, where you guys want to put this facility.

16. Chair Jack:
Just to stop you there. We don't want to put a facility in there.
17. Mike Steinbach:
Well, what's supposed whatever. So, that's my concern about the water, for one thing. Who regulates what and who protects the community? Is that the ACRD, the ALC, who does that?
18. Chair Jack:
Is that an actual question or a rhetorical one?
19. Mike Steinbach:
Well, it would be a question, yes. Like, who protects and who regulates what? All these regulations and rules, and who protects the community? Because we've been just going around in circles here forever. I know the ALC protects farmland. And that's it. They don't consider any social concerns. So, it's up to municipalities to have the responsibility to consider the community. So why has the ACRD demonstrated such reluctance to consider the community of Beaver Creek? We have gone above and beyond what should be necessary to voice our concerns for our community, our environment, our wildlife, and our water supply. Why have our concerns fallen on deaf ears for the last two years? That is a question. Who regulates this stuff?
20. Alex Dyer:
Sure Mike, thanks for bringing that up. It is an important question and it can be fairly complicated. Pollution or effluent, or any surface runoff entering the environment from a cannabis production, or from any operation, would be regulated by the Province. By the Ministry of Environment. Health Canada also has requirements through their licensing process. In terms of access to ground water, that's also regulated by the Ministry of Environment through their Water Sustainability Act. So the groundwater protection regulation within the act, regulates minimum standards for well construction and maintenance and recognizes qualified individuals that are certified to drill wells. So, in essence, I'm not trying to pass the buck from the ACRD but environmental concerns about water runoff and surface and groundwater quality of water are the jurisdiction of the Provincial government, through the Ministry of Environment.
21. Mike Steinbach:
Now, I know Health Canada is focused on construction and quality control. Have you guys been to the site? Have you actually walked in the swamp where they want to put this thing? It's not a good spot. Now I know the ACL okayed dumping of the fill on this site. I think you guys could stop that. I'm not against growing weed okay? It's just that you have to pick a better spot for this place. It's just beyond man. Like, we've been here how many times? Until the geese and the ducks and the deer, and the fish all start dying, then it's like oh oh. I just don't get it. There's lots of other places. You have to pick the right location. Now, this is directed at John McNabb, our Director. I am going to read this on behalf of Kirk McGriffin. Reads and submits letter (Appendix 'F') for the record.



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

22. Alex Dyer:
I just want to reiterate that proposed facility applied for a building permit application in February 2018 and it meets the current zoning requirements we have in the zoning bylaw.
23. Mike Steinbach:
You have to change that. You have to drop that law out of there. You have to drop that line out of there.
24. Chair Jack:
That's what the process we're in right now is doing. Changing the regulations from what they were to what they are. The specifics of that particular project, which we are not talking about officially, is that they got in under those rules. So, we are changing the rules now but they are not retroactive. That's not how it works. I know that it's unfortunate, but we can do things now to correct any errors that are perceived from the constituents. And that is actually a very specific byproduct of the responsiveness that various Directors have had. So, we are working under our own jurisdictions and what we have to do, and what we have the power to do. Which is significantly limited given the very valid things that everyone has brought up before and now, in regards to safety and the environment. Which are not our jurisdictions. We have to consider only the things that are given to us by the Province. Local governments are children of the Province and are therefore restricted in what we are able to make decisions on. What we can do however, is advocate on behalf of our communities to representatives of the Province and Federal government, of which there are some representatives, or people who are close to those representatives, MP's and MLA's in the crowd today. So, they are listening intently on what's going on. The real problem here is that things are slow. That government moves slowly. That is mostly for the purposes of accountability and transparency and to make sure we go through those processes in a way that is fair to everyone. What I want to reiterate here is that we are responding specifically to the concerns of the community by making more strict and regulated now. I think what we do need to do though, is more frequently communicate the differences between what we can do as local government and what is the purview of the Provincial and Federal government. And what can we do to work together on pressuring if need be.
25. Mike Steinbach:
So what you're saying is you could stop this.
26. Chair Jack:
No. I'm saying that we cannot from a legal and logical perspective. We cannot go back in time and change the law. That would be thrown out of court right away.
27. Mike Steinbach:
Have you seen the facility they want to build there? It's crazy. It's like a Walmart in a swamp. So, that's all I have to say. Thank you.
28. Chair Jack:
Thank you. Next up is Nicole Steinbach.
29. Nicole Steinbach, 7620 Bainbridge Road:
For the grandfathering and the Beaver Creek exception, I want to know the line "commenced to be



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

constructed after September 1, 2019” is in the bylaw, is not to protect the Beaver Creek proposal.

30. Alex Dyer:
Let me just find it. So the definition of medical cannabis production means the production, growing, processing, storage or distribution of cannabis for medical purposes as permitted by Federal legislation, but specifically excluding the production, growing or associated processing, storage, or distribution of cannabis for medical purposes within a non-soil based structure, building, pre-fabricated structure or container, that is constructed or commenced to be constructed after September 1, 2019. That date reflects when bylaw P1399 was drafted. It reflects our ability to prohibit cannabis facilities within the ALR. The ALC rules have laid out very clearly where local governments cannot prohibit cannabis production within the ALR. We cannot prohibit if grown lawfully outdoors in a field, within a building with a base consisting entirely of soil, or within a building that was built prior to July 13, 2018. That was the specific date for the purpose of growing crops within. So any building built prior to that date, we cannot prohibit for the purposes of this bylaw P1399. We chose September 1, 2019 moving forward as stopping point for prohibiting the construction of new buildings.
31. Nicole Steinbach:
Why wouldn't you choose the date other Regional Districts have chosen as July 13, 2018? Many Regional Districts have chosen that date to grandfather.
32. Alex Dyer:
The direction that we have moved forward is proceed with the bylaw drafted with September 1, 2019. It's my view that whether it is September 1, 2019 or July 13, 2018, both dates comply with the requirements of the ALC and they have no effect on the proposed facility that was applied for under the current rules.
33. Chair Jack:
So the answer is that it wouldn't have mattered.
34. Nicole Steinbach:
But I think it would have. The key section of the ALC regulation says that municipalities can prohibit concrete floor cannabis facilities, like you're doing in bylaw P1399, and it creates different grandfathering clause than you're using. Ones that definitely would not allow the Beaver Creek proposal to go forward, as only exemption to the rules 8.1 the use of agricultural land for producing cannabis lawfully may not be prohibited as described in section 4 if the cannabis is produced outdoors, in a field, or in a structure that has a base consisting entirely of soil. So, this is a cement based structure. Also, the use of agricultural land for producing cannabis lawfully may not be prohibited as described in section 4 if the cannabis is produced inside a structure that meets both of the following conditions.
35. Chair Jack:
For more background, we couldn't put it to the July 2018 date because we had already made a decision to have a more open approach to cannabis production. We only decided to change that in one or two meetings before September 1st. So, there's a window. If you're point of criticism is that we didn't prohibit the moment we could have, then that's a valid criticism, but that was a choice that the Board had made to have it open until we didn't any more. After people had input.



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

36. Nicole Steinbach:
So you allowed, someone from out of town, to come into our community, and are giving the okay to building a 60,000 square foot, cement-based structure, in our neighbourhood. Across from a treatment centre.
37. Chair Jack:
That is not entirely accurate. I think, when you're looking at it in hindsight, then maybe. The way we create bylaws, is we don't think about who the proponents might be, we create rules upon which a facility or any given arrangement of land use would be permitted. We don't think about who the proponent may be. We don't think about where they come from because we cannot prohibit that sort of thing.
38. Nicole Steinbach:
Okay, sorry to interrupt, but what you should be thinking of is who you are supposed to be representing. Who you are supposed to be protecting.
39. Chair Jack:
And that is a valid piece of should have, would have, could have.
40. Nicole Steinbach:
So, as far as I'm concerned, I am asking for this line to be removed out of the new bylaw. I think its arbitrary, it's not in there for any good reason that I can see. Over and over we have been told that you guys do have the power to stop this. The ALC has told us that you have the power and other people have told us that you have the power to stop this.
41. Alex Dyer:
I want to be clear that the proposed building that you're talking about is not in place at this point. They applied for a building permit in February 2018.
42. Nicole Steinbach:
After being toured around by your Planning department. It was her exact words.
43. Alex Dyer:
That's a lie. That is not correct. We did not tour anybody around looking at properties. They came and they inquired of planning staff, if a number of properties that met the test under the current zoning, which was adopted in 2014. They decided to purchase the property that they are currently developing, applied for a building permit in February 2018, subsequent to that made a non-farm use application to the ALC. While the ALC was processing that application, the Province came down with a new order in council that clarified that cannabis production is a farm use in the ALR and that the non-farm use application is not required. That all cannabis production is a designated farm use in the ALR. They allowed local governments to have the control to prohibit construction of new concrete-based buildings following that July 13, 2018 date. The bottom line is that bylaw P1399 is increasing that ability for the Regional District to regulate these types of facilities, but it does not detract from the vested rights of land owners who have taken steps under a separate and pre-existing regulatory framework.
44. Nicole Steinbach:
Why do those rights come above ours? Our people have already been living there. Raising our families.



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

There's a treatment centre there.

45. Chair Jack:
Let him answer please.
46. Alex Dyer:
This individual has applied prior to the zoning change being contemplated. So when they applied, it was under the existing zoning which is the current zoning that we have today. Bylaw P1399 will increase the regulatory control on that zoning but it applies to any new application moving forward. It can't be retroactively applied to existing applications that came in under the existing framework.
47. Nicole Steinbach:
I still believe that you have the power to stop this. On a different note, permits and the FOI request. CHOKES have sent an FOI request regarding both the Beaver Creek facility and the proposed facility at the Pine Dell property. Us, the staff at Kackaamin, submitted our initial request for information to you on November 12th and we were told it was going to be 30 days. Not only have no documents been produced, for either request, but you have asked Kackaamin to pay up to \$500 to access these documents. Please remember that both of these organizations are non-profit societies and are working in the public's interest. Why haven't you answered them? Why don't we have them in our hands? Why are you charging so much money? What are you hiding? And is this truly how you feel these organizations deserve to be treated?
48. Alex Dyer:
I don't have any update for you on your request. I can follow up with our FOIPPA staff that are assigned to deal with those requests and provide you with an answer following this meeting.
49. Nicole Steinbach:
So, I have an opinion that I want noted. What I think, is something, somewhere along the line, you guys have screwed up in this process. And instead of admitting your mistakes, like any decent representative should do, you hide behind your shame with defensiveness, delay tactics, lies and passing the buck over and over again. I too ask that John McNabb resign and let somebody who gives a shit do a proper job.
50. Chair Jack:
Thank you. Ladies and gentlemen, I would like to reiterate, that we should refrain from, well first, calling people down for lying when that may not be the case, as well, please refrain from swearing. And I would like it very much if we to limit applause, to get through all of today's speakers. Please, speak to the regulation. That is what we are here to speak to. We are not here to speak to the project itself, we are here to talk to the regulation that is being changed. So that we can further regulate any projects that are happening, moving ahead. We cannot go back in time, legally speaking, and change the rules. We immediately acted, as soon as possible, the moment we realized that we needed to change the laws to be more restrictive. And that happened as soon as possible. But what we can't do is go back and make the laws retroactive, not without exposing ourselves to huge legal liability and we're not even certain that it would be allowed to stay. So from that perspective, I would like for folks to please restrict your comments to the regulation itself. And I will remind individuals that there are things that we do not have jurisdiction over. We do not have jurisdiction over water, we do not have jurisdiction over things that fall under the ALC, nor do we have any jurisdiction in regards to how the application of, under it, but reconciliation



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

legislation goes through. That's a Provincial jurisdiction. They don't let us have control over that. They don't trust local governments to do it. The next person I have is Lisa Robinson and then its Julie Fontaine.

51. Lisa Robinson:

Thank you. I come to you again. I hope I don't say the same thing. I probably won't, but what I do want to say and I restate again I think, this has been really stressful for us. Really stressful. My circles haven't been so dark. But I want to first talk about the best thing that come out of this is getting to know this community. And the support that has come out to our centre. Every other day, some neighbor comes down to talk to us and get to know us a little better, and state how they appreciate what we are doing. I really appreciate getting to know the Beaver Creek community. And others, Sproat Lake community. And get that acknowledgement of the good things that we are doing out there. I want to state that again. These communities are doing their part in reconciliation by supporting us. It has been just a rollercoaster ride with this whole thing. My question is still, you talk about all your regulations and what not, you can't go back in time, on and on and on. We're going to pay the price for that. We're going to pay the price again. Indigenous people have had to pay the price for a long time for mistakes. We are still facing all those consequences. And what really bothers me, I've asked everybody about this controversy, so far I say would you put this across a school? Your children's school? Your grandchildren's school, or a daycare? Would you put it there? Everybody says no. We wouldn't. I said why is it okay for vulnerable Indigenous children? Why? I don't understand that. And you know what? I have my Elder standing with me here today and she is a survivor of the residential school, as am I. And you know, with that question, it's brought up really deep rooted pain for me. I used to sit with the residential school survivors when they went to their hearings. I listened to the brutalization they lived through every day. And they drank themselves to the graves. That's what I feel like. I feel like it doesn't matter. We don't matter. That's how it feels right here in my heart. Because you keep going back to your regulations saying, oh, we can't do anything. We are going to learn from our mistakes now. You'll pay the price. Are you going to be able to sleep good at night knowing that? It's going to harm our ability to do what we've been doing. You've probably read some information about what we do out there. We're not a detox centre. We work with little kids, families, trying to pull them back together after everything we've been through. I don't believe you don't have the power. I don't believe that. We spoke with Health Canada, we spoke with about 8 levels of the regulators in Ottawa. We had a call with them and they said they haven't seen her application. But they have our letter now. They have our letter that's talking about how you are looking at reconciliation. How are you looking at the (?). How are you? They have it in front of them now. And I know that they are not going to, my feeling, is they're not going to let this thing go through because there is enough opposition from us. It is sad to me, I feel like there is still something you can do. We have to go up, and I'm going to the Province, I've been going to different levels of the Province also, to get them to act and hear us because this is unjust for us. It can go a lot farther than this. But I think you have the power now to do something. So it doesn't get blown right out of proportion. That, oh yeah, they're just Indians across there, we'll just put this thing here anyway. I don't understand. I just really want to know, I really don't believe that you don't have the power. I'm pleading with you. Pleading with you to reconsider. I just think of these babies that are going to be exposed to this. And we know that they are going to be exposed to smell. We are trying to get them away from that in their families that abuse that stuff. They've been neglected, some of them, because of it. And how is this baby going to know when they smell that walking out of the daycare that, oh, your parents are actually cleaned up? It's that building across there. How are they going to know and understand that? Send them to the ACRD? I don't know. We don't have any way around this. And we've invested a lot of money. The Province has put over 10 million dollars into that site. Where are we going to go if we can't operate? If people won't



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

come to our centre? We're one of 3 family centres in Canada. And we have a wait list a mile long. People needing to come there because they are losing their kids to the Ministry. We're their only hope and this is a threat to it. So this is my last, I don't know what else to say, but we are going to keep fighting. I send a letter to the Minister Darcy. Send her everything I had, like come on, somebody step up for us. It doesn't feel like anybody has our back. Except the community here which, they're not really being heard either. So, that's all I have to say. Thanks for listening to me again.

52. Chair Jack:
Excuse me, could you introduce the Elder? I didn't catch her name.
53. Beverly Lucas:
My name is Beverly Lucas.
54. Chair Jack:
Thank you. Next up is Julie Fontaine and then I have Sadie Greenaway.
55. Julie Fontaine, 4465 Glenwood Drive:
Good evening. Thank you for the opportunity to speak. I've been on the Board out at Kackaamin. I personally, and we, are not opposed to the business of cannabis. We deal with addictions across the board. Alcohol is legal. Now cannabis is legal. It doesn't make any difference in that regard. I'm here reiterating what my executive director has said in the plea to consider us. I've written letters to the Minister of Indigenous Relations, Scott Fraser. We've heard back from a couple government bodies to assist us. The money that has been spent in the facility is over 10 million dollars. The money that's been spent in this community, is significant. By our clients, by our families, by day to day operations. We do business. Thousands of dollars in business. And all we ask is for that respect. The rumours I'm hearing are around Moni's premium medical marihuana business, is that she's not licenced. We've gone through branches of Health Canada. Health Canada, under the umbrella of cannabis and the opioid crisis, there's conflict and it needs to be resolved. And speaking as a first nations person, I think it's outrageous that we need to fight this hard to be heard. I know that there's a lot of good relationships with the people of Port Alberni. The people of Sproat Lake. There's a lot of healthy relationships that have been built and formed. People who play sports together, people who teach together. It's just outrageous to me and does not make any sense at all, why this application would have even been entertained, knowing that there is a treatment centre there. That's all I have to say right now, thank you.
56. Chair Jack:
Thank you. Next up Sadie Greenaway and then Carolyn Thibodeau.
57. Sadie Greenaway, 7830 Beaver Creek Road:
Good evening. I'm actually not going to complain this time. I think you've heard me complain enough and I've walked out of other meetings and that won't happen tonight. What I'm here tonight to do is to submit this binder (Appendix 'G') to the ACRD. We sent it to you about a year ago and it contains petitions that were sent, concerns regarding air quality, fire hazards, Kackaamin, and the long term economic impact. Concerns regarding our local community and community concerns relating to the environment. We would appreciate, they are all marked, all the articles are marked, all the research that has been done. It took a long time to put this together. One of the Beaver Creek community did this and it has been appreciated.



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

We've passed it onto Health Canada and I would like to submit this to you tonight again. So, thank you.

58. Chair Jack:
Thank you. Next is Carolyn Thibodeau and after that Ms. Beverly Lucas.
59. Carolyn Thibodeau, 7833 Beaver Creek Road:
Carolyn reads from her letter (Appendix 'H').
60. Chair Jack:
Thank you. Next up we have Beverly Lucas and then Lars Banke.
61. Beverly Lucas, 7830 Beaver Creek Road:
Good evening. My Name is Beverly Lucas and I live at 3883 10th Avenue, which is pretty close to the heart of where all of the addicts hang out. I try to keep my home as safe as I can. It really blows me away on why this medicinal operation has been passed to be built. My question would be this have been approved if that was still an elementary school while there were hundreds of children there? Are we not important as a small little handful? We are just as important as those hundreds of children who attended that school. It's always been a heartache. Always been the minority. I am a First Nations women, I am 65 years old, and I know and I have seen a lot of prejudice. I have been called a "drunken Indian" but I have since sobered up and my fist treatment center was in Kakawis in 1986. I am trying to be an example to my community, to my children. To all of the clients who attend Kackaamin. They are there to try to make a change. And for that operation to go across the street. What more can you do to us? You are not standing up for us. You are against us. This little handful is the one that controls the so-called regulations. Where is the support of all of these people who have come in to Kackaamin. To get away from the addictions. You are just providing for those addicts to have one more place to go. They are spread all over and then you want to beautify downtown? Have you walked downtown? Seen all of the homeless people there, the addicts? Have you visited Kackaamin? Have you ever set foot in the Kackaamin Development Centre any of you? One out of how many? So where is the support? You guys all would have come into agreement to have this approved. We may be a minority but we are starting to stand strong. It has always been that. Being labeled as a "drunken Indian". You are dangling that thing across my workplace, in front of my face, slapping me with that. How are we as a Nation supposed to move forward when we are put across the street from them. It just blows me away, your decision on this. Your hearts are not with the people. Do you also have a hand in the money that the operation is going to make? I may be an individual but do you even give a care for me? Almost swore. I thank you for taking the time to listen to me. I appreciate it.
62. Chair Jack:
Thank you. Sorry about getting your name wrong Lars. Just after you is Phyllis Rossignol.
63. Lars Banke, 3537 Veldham Road:
Generally I would support the regulation more or less. If you can think outside the box being across the treatment center is really in bad taste. I get the feeling that the tax payers wouldn't mind taking a bit of a bite if you can do something. I ask that you think outside of the box and see if you can find a solution. Otherwise, the regulation more or less. Thank you.



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

64. Chair Jack:

Thank you. Hi Phyllis. And lastly we have Mr. Derek Wong. Please go ahead.

65. Phyllis Rossignol, 6491 Beaver Creek Road.

Phyllis reads from her letter (Appendix 'I') and makes the following additional points:

Between Christmas and New Years there was an inversion and the emissions coming out of the site were not blown away and they settled in our area. It was so strong and terribly smelly that I got to a point I was desperate and I phoned the ACRD and I asked if someone could come out here to smell how bad it is. I got Mr. Irg and he said to phone Health Canada and I phone Health Canada and they said it is not our jurisdiction it is the jurisdiction of the ACRD and it is up to your Regional District to deal with it and to make regulations. And for two years I have been smelling that bad smell and not getting any help. I am hoping that bylaws will be set up. There are bylaws in Langley, Kelowna. Metro Vancouver is hoping to have bylaws in place and be able to be regulated by the end of the year and what they will do is enforce filters on the emissions that come out from the grow-op sites and that is possible for us in this Valley to do too. I need help. I need you guys to make a bylaw. There is supposed to be no smell on the outside of a building with designated growers. Can you help me? Who else is going to help? We will end up like the days with the bad smell of the pulp mill. The regulation says that the waste is supposed to be mixed with kitty litter and disposed of. The neighbours next-door created a burn pile and then had the propane tank with the hose going to the pile ready to light it. And I phoned the Nanaimo RAPP and asked what to do and they said to phone the Beaver Creek Fire Department and they phoned conservation and conservation told the grow-op that they are not allowed to burn, they have to take it to a dump site. There have to be regulations so that they are automatic and there is a regulator who can come out and tell people that they cannot do it. These grow-ops are also noisy from the machines. The hum affects your sleep and enjoyment of your property. In the regulation that we are dealing with it is not the 200m from residential use, hospitals, schools, day cars, playgrounds, and senior care facilities, it is way closer than that. Anyways, I am not supportive of the cannabis facility being so close to Kackaamin. I don't want to see that treatment centre damaged or harmed in any way or the people that go there. I love the Native People and I want the best for them. This is not best for them to allow for that grow-op in their neighbourhood. I thank you.

66. Chair Jack:

Thank you. Just for folks background, the situation that Mrs. Rossignol is talking about is different from Kackaamin. I will have Alex give a background on that and what we have done to date.

67. Alex Dyer:

This is the personal and designated licenses that I was speaking to at the beginning. The ACRD has no ability to regulate the location of these licenses. We cannot implement minimum lot sizes or minimum setbacks or anything like that. We don't know where they are, the details of their licenses, how many plants they can have, etc. As you heard this has created significant and real issues for residents and neighbours of these facilities. The Board has directed staff to proactively engage with Health Canada on these licenses in general and specific instances where we have received complaints. We have sent letters to Health Canada, we have



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

communicated with Health Canada. The Board has made that aware that the aggregation of these personal and designated licenses or registrations onto one property is having a real impact on our neighbourhoods and without the ability to implement a minimum lot size or a minimum setback we are limited in our ability to control those impacts.

68. Doug Holmes, CAO:

And just to be specific, we have written them with a formal complaint about this particular one. We have written Health Canada with a formal complaint to say that this needs an investigation and needs to be looked at because this situation is unacceptable.

69. Chair Jack:

We are taking as many steps as we can and we will be following up with all of the relevant organizations and agencies. Lastly, I have Mr. Derek Wong although he may have left already. He had to leave. I will now open it up for comments for anyone who hasn't spoken yet. Please line up. Be clear when stating your name and address.

70. Sheri Gerigk, 9251 & 9261 Central Lake Road:

I agree with the proposed part of the bylaw that states that cement based and in cement buildings are to be banned. I believe that this is a good step towards preserving agricultural land for food sustainability. I do not disagree with growing cannabis. I think that it should be placed far enough away from people so that it can't harm them. I for one have personal knowledge and can attest to the harm that these cannabis grows can do to people. I also have property outside of Edmonton Alberta, and there is a huge grow-op there that is indoors. It stinks 5 km away. You guys are supposed to be able to protect my property values, are you not?

71. Chair Jack: I am not certain of specific to property values but things like enjoyment of the property, integrity of the land, that sort of thing. But values I am not certain of.

72. Sheri Gerigk:

I agree that I think that you guys do have to protect my enjoyment of my property and if you subject my family to that stink that is not enjoying my property. My husband has a medical condition that will be in danger if he has to live that close to that many pot plants. In the ALC they specifically say that you can ban the conversion of existing buildings that were not designed to grow crops. These buildings were not designed to prevent the escape of odors and I would like for you to add this to your bylaw. If you want the exact wording it is in the ALR regulations. Cannabis companies are entering a time of severe instability and there are lawsuits, huge lay-offs, massive overproduction, downgrading of stocks, prime lenders shying away from cannabis producers causing them to procure high cost debt. All of this combines into a horrible mixture that I think will lead to further cost-cutting measures to safety and compliance. I believe that we need to put in the most comprehensive and protective bylaws with hefty fines for noise control, light control, and especially odor. You as a municipality can put those nuisance bylaws into place for those specific items. I would request that you do this immediately before passing this final time. Licenses to operate as a cannabis growing facility in the ACRD would also be great for us because if they were non-compliant in these issues



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

you could refuse to offer them a new license. These companies are highly dangerous places to work and the lure and promise of jobs are not great for our young people. For your personal and designated licenses again this noise, light, odor, and nuisance bylaws would help with that. I have other questions. When you keep stating that the persons for the Beaver Creek facility applied for their permit in February, 2018 do you have anything in place stating that if you have not started construction by a certain time that the bylaw is now null and void?

73. Alex Dyer:

No, we have a time period at which a building permit will lapse once it has been issued. If no construction has taken place within in a 6-month period a building permit will lapse. Or if the total construction period has exceeded two years in time the building permit will lapse. We have no requirements for how long an application is open for. I just want to clarify that the majority of that time between February, 2018 and January, 2020 was waiting for the ALC to clarify first that cannabis production is a farm use and to consider the placement of fill application.

74. Sheri Gerigk:

It is my suggestion that you put in a bylaw that you must start construction or issue permit within certain timeframes to avoid this. This is a way of insuring that this will not go on and people get resolution. Thank you for your time.

75. Chair Jack:

Thank you. Your name and address please.

76. Mike Stini, 5275 Edland Road:

I keep hearing this excuse that the Regional District can't do anything, and it is tiring to hear this. I was at a meeting with the ALC and the Farmers Institute and Mike Irg asked a question from the government officials what they can do. The official from the Ministry of Agriculture repeated several times that you can legislate setbacks to any distance that you want. You could legislate 1000m setback and that would eliminate any kind of cannabis production in a rural area. You have ways of doing it. You need to have the will to do it. How far does smell travel, light impact people, criminal activity, etc.? You put a distance on it. Common sense tells you that if you make that distance far enough you will not have an impact and then you will limit these operations to very large acreages or industrial places. In my opinion they should be in industrial places. Industrial cannabis production is not farming. Farming doesn't have a crime aspect, lights all night, year-round smell. There are many differences that make it so it does not fit as agriculture and not a rural setting. I would like to ask the Regional District to put a 1000m setback. Do it and you will end the problem and people will support it. I don't know why it hasn't been reflected when the Ministry of Agriculture has said that you can regulated this way. Let's make it enough so we won't have a problem.

77. Chair Jack:

I would like to thank you for speaking to the regulation itself and I think Alex might have something to add.



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

78. Alex Dyer:
I was at that meeting and that statement was made, but it needs to be used in context. What we can't do is we cannot implement a setback that is so restrictive that it in effect prohibits that use.
79. Mike Stini:
That is incorrect. The people from the Ministry said that you can.
80. Alex Dyer:
We cannot.
81. Mike Stini:
They said you can.
82. Chair Jack:
Please let him speak.
83. Alex Dyer:
We cannot through a prohibitive setback. What they also said in that meeting is that local governments should seek their own legal advice and that many local governments are being sued over their zoning regulations relating to cannabis. What we have done is drafted a setback that is in large effect encouraged by the bylaw standard that the Ministry has produced and exceeds that in certain cases. What we cannot do is implement 1000m setback that in effect prohibits that use on properties that we have here in the ALR in the ACRD.
84. Mike Stini:
That is incorrect because I remember Mike Irg asking for clarification and that lady said you can make it any distance you want. I would like you to check on that because that is what she said.
85. Chair Jack:
We can commit to checking on that. I am not going to argue that you heard what you heard and I won't argue that context may matter. But we can check and know for sure. Thank you for your comments.
86. Wayne Smith, 3000 Mozart Road.
Wayne reads from his letter (Appendix 'J') and makes the following additional points:
There was a statement here that I won't forget: "the community has spoken and you refuse to listen." That was 2 months ago. You are back here again, you have dug the same bylaw back without much change. The issue here is not so much about the industrial land, it is more about the ALR. That is where most of these problems lie. Now the ACRD has taken the position that you cannot regulate it because it is agricultural land and the ALC has that you have the power. Your legal opinion that you have gotten stems around that. What I don't understand is that if that is the case why has the Comox Regional District taken a different approach? Their stance is that they will prohibit any agricultural activities and cultivation until they amend their Official Community Plans. I think that they have taken that stance on a B.C. Supreme Court decision. Wayne reads



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

from his submitted letter. In the case of the Alberni Valley we have not amended our Official Community Plans to zone these large cannabis operations. There was some work done on medical and for some reason you seem sort of mirrored the medical in with the commercial. Commercial are usually a lot bigger. I think that we have to go back and amend our OCPs with due public input. This means meetings with committees and draw a new OCP that puts these setbacks in that Mike talked about. I was at the meeting with the Farmers Institute and heard Jennifer say that the ACRD has the right to regulate setbacks. We cannot regulate to the point that there is no room left, but we can go quite a bit further. I think that we do have some tools here. The new Bill 52 has given more power to the Regional District to do regulation on these things and we are not using those tools. We need to study more and Comox is using a lot of wisdom here. They are buying time. They will wait for everyone else to make mistakes, watch where the chips fall, and then amend their plans and probably have solved the problem. We need to follow their example. As far as the ALC, another thing is that they had backtracked on the Bill 52 amendments that would restrict the secondary residence. I thought that was a rule written in stone. That being said I think that they can backtrack on this regulation that cannabis is an approved use on agricultural lands. Most people across Canada don't want these near residences. We have a minority Provincial government. They lose one seat and they are out of power. I think that we have an opportunity here to get the ALC to reverse their stance that this an approved product in the ALR. Comox is smart. The solution is to scrap this bylaw and adopt the same stance as the Comox Regional District. In the meantime, we have to deal with the problem on Beaver Creek Road. No one was listening and that should not have happened. We cannot let those residents out there hang because of the Board's inability to deal with the situation. Thank you.

87. Chair Jack:
Thank you.
88. Robin Forrest, 6375 Weismiller Drive:
A couple of people have mentioned that there is a going to be a surface water difficulty and someone here said that the Ministry of Environment is in charge of that. Have you consulted them or have they had a look at the land itself?
89. Alex Dyer:
To my knowledge, I don't believe that they have. As a Regional District we do have a Development Permit Area, which is a riparian area dedicated as a 15m buffer around any natural watercourse. If you are doing land alternation or building within that area you need to engage a professional biologist who will assess the site and you make a development permit application to our office. If you are outside of the 15m requirement, the ACRD does not require it. Having said that, if there is any negative impact to a watercourse or downstream impacts, that is the jurisdiction of the Province.
90. Robin Forrest:
You don't know whether the Province has had a look? Is that an avenue that you could go down and ask to check?



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

91. Chair Jack:
Yes, we can nudge them.
92. Robin Forrest:
Everyone here is against the facility. Does the ACRD have bylaws in place after the facility is built, if it is built, to actually strangle them to shut down their business? Can you control it that way? You are making too much noise, too much light pollution, too much smell? Can you create bylaws now and if they do not adhere, you can shut them down and turn the facility into a skating rink or something.
93. Chair Jack:
There is a partial answer to that. We cannot create laws that are specifically targeted to a proponent that we don't like because we would get rung through the courts. It would be very easy for them to prove that we are just targeting them. The laws that we create have to be applied equally across any prospective proponent on a project like that. That can be done with the examples of a nuisance bylaw if they are applied equally across the entire region and enforced, and enforcement is the kicker, just so people know. Then perhaps there can be pressure. Whether and to what degree a business continues to operate will have to do more with the bottom line. Or if they break laws then that is a serious thing. Bylaws are different then real laws. We can do some things and remind the Federal Government and Provincial Government to do their jobs. There are some tools we have but not in the instance of this particular regulation and if there are we will have legal council look at some of the things that Mrs. Thibodeau may be bringing up again and go from there. We have to make sure that we are not creating them to target specific proponents.
94. Robin Forrest:
You have a lot of knowledgeable a passionate people in this room who I am sure can help you. Thanks.
95. Chair Jack:
Thank you. Mrs. Thibodeau, before you speak again I have to ask if there is anyone who hasn't spoken yet who would like to speak? There is an individual who hasn't yet. You will have a chance Mrs. Thibodeau.
96. Christine Milligan, 6483 Beaver Creek Road:
I heard Doug Holmes say that a formal complaint has been sent to Health Canada regarding my property and my mother's property. When was it sent?
97. Chair Jack:
2-3 weeks ago.
98. Christine Milligan:
I am wondering why one wasn't sent two years ago?
99. Chair Jack:
I think that has more to do with the ACRD's understanding of the issue because our understanding of the issue has grown since then. That is part of it.



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

100. Christine Milligan:
How is that that your understanding has grown? I am curious.
101. Chair Jack:
I think that we can have a conversation off-line about this. This is a public hearing about P1399, if you would like to come in and talk to staff about the timelines involved we can do that.
102. Christine Milligan:
I would like to do that. Thank you for inviting me in for that. Also, I am opposed to the development proposed across from Kackaamin for a variety of reasons, which are listed in the letter already submitted.
103. Chair Jack:
Just as a reminder, everything that has been submitted or spoken in previous public hearings or submissions will be counted. This is a process of gathering more information.
104. Christine Milligan:
I also expressed my opposition to that in February 2018.
105. Chair Jack:
Do you have any comments on the actual bylaw?
106. Christine Milligan:
I do. I need to get organized here. I have a question. When I submitted a letter to the development at Kackaamin for the Board meeting where they were deciding on whether or not the Regional District was going to send the proposal to the ALC, the ACRD was supposed to vote. I asked the other day if my letter was submitted, dated.
107. Chair Jack:
Is this related to the regulation?
108. Christine Milligan:
It is related. The letter I submitted was received February 26, 2019.
109. Chair Jack:
We do have it.
110. Christine Milligan:
It has been too long and that is why I have too many papers and I am so confused and messed up. You haven't responded. The letter that I submitted. I was asked if the Board received and considered it before voting on the initial application for Kackaamin to be sent away. When I went in to the ACRD and asked Charity and she said that it was received after 4pm and I found out the Board never received it. Is that true?



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

111. Alex Dyer:
To provide a little background, Christine, what you had done is you had submitted a letter related to the non-farm use application for the facility at 7827 Beaver Creek Road. The Board did receive it and considered a number of late items for that application. It does not appear that your letter was included in the correspondence received by the Board at that time. We make every effort to bring late items forward to the Board. Regardless, with that application there was no public input process or statutory requirement to seek public input and once that application did proceed to the ALC they sent it back once they determined that cannabis production is considered a farm use and that there was no need for a non-farm use application. That is the process that the ALC went through in 2018 and into January 2020 when they issued the placement of fill notice. Again, that is not relating to Bylaw P1399.
112. Christine Milligan:
That is okay because I wonder if the Board would have received it if they would have sent it in the first place. I think that it would have been a significant submission. I am curious if it would have been sent to begin with?
113. Chair Jack:
I think that's a speculative question that we cannot answer at this time.
114. Christine Milligan:
That is something that you can answer at a later time?
115. Chair Jack:
We can have a conversation about that after this hearing. Do you have any comments about the regulation?
116. Christine Milligan:
I do.
117. Chair Jack:
You have two minutes.
118. Christine Milligan:
Two minutes? Thank you. I would like increased setbacks and I will continue to advocate for increased setbacks.
119. Chair Jack:
Thank you very much.
120. Fred Thompson, 8265 Mesher Road:
I believe I hold the same opinion as all of you. A lot of you are not understanding here. You are all a group, correct?



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

121. Chair Jack:
Some of us are staff.
122. Fred Thompson:
You are a group. Bill C45 of the Canadian Criminal Code says “any group or organization is responsible for their actions, whether it causes harm or unpleasantness such as” this poor lady back here has begged for your help. I don’t know what you have done, so I can’t be accusatory. She is a senior as I am. Shame on people who have the power to do something to sit on their laurels and do nothing. I applaud Kackaamin that is helping people and bringing families together. Being responsible as a group, this is serious. I have been working under this law since 2000. It is time we all look up what Bill C45 means and why it came about. It came about by the same kind of bullying that we are getting here by a big corporation on the western mine disaster where a bunch of men were killed. No one stood up for them and the mine blew up killing 27 employees. Finally we have some teeth and we are all held accountable. The people here have said no. Look at the mess over these pipelines and the railway shutdown. We don’t want this to happen here. We are being bullied. Pay attention to this lady and her plight. What have you done to help her? Shame on the lot out you.
123. Chair Jack:
Thank you.
124. Barb Baker, 2950 Mozart Road:
I am looking at your bylaw because there are rumors of cannabis production going in our neighbourhood. Looking at your amendments I am wondering, irregardless of the fact that it may be a cannabis production, say any kind of agricultural production, I do not see anywhere in you bylaw that you address maximum building size. Could this be added?
125. Alex Dyer:
There is no maximum building size implemented in the Bylaw, that is regulated by the setbacks.
126. Barb Baker:
We are only talking about setbacks here. Is that correct?
127. Alex Dyer:
Setbacks and minimum lot sizes in the A1, A2, A3, and M1 zones.
128. Barb Baker:
The other concerns that one might have about the agricultural production going up in our neighbourhood, such as light pollution, water runoff, pesticides, air quality, smell, and noise. Will any of these things be addressed tonight or in this amendment?
129. Chair Jack:
Not in this bylaw.



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

130. Barb Baker:
Where does one go with these kinds of concerns at time point?
131. Chair Jack:
Things like noise and smell would likely be put into a nuisance bylaw that would be applied across more than cannabis production. It would be for everything.
132. Barb Baker:
Do you have any plans to make any nuisance bylaws?
133. Chair Jack:
Committees have spoken about it. Nothing has been brought to the Board yet.
134. Alex Dyer:
The ACRD has the legislative ability to implement a nuisance bylaw that could deal with odor. It will require direction from the Board but part of the conversation about nuisance bylaws is the enforcement of those and what we need to determine is a way to effectively implement those bylaws and enforce them once we have them. One of the tools the Board has directed as a priority for 2020 is a ticketing bylaw. Currently we do not have an ability to issue tickets for contraventions of our regulatory bylaws or zoning bylaw. We are going through the process of considering a Bylaw Notice Enforcement Bylaw which gives the Board powers to ticket for these contraventions.
135. Barb Baker:
What about runoff into wetlands. The area is a wetland.
136. Chair Jack:
That would fall under Provincial jurisdiction. Ministry of Environment.
137. Barb Baker:
If you got an application from a landowner, would you raise concerns to Ministry of Environment?
138. Chair Jack:
These processes are separated out. The Province handles their own process, as does the ACRD. They are agnostic. We can continue to watch what is going on and nudge the Province to do something. We have no way to force them and cannot stop our own processes if the Province isn't doing their job.
139. Barb Baker:
What is the neighbourhood process?
140. Chair Jack:
The process you want to do is to contact all levels of government. All of the relevant ministers who may be involved.



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

141. Barb Baker:
In other words, the onus is on the property owner to go directly to the provincial department. We can't go through the Regional District?
142. Chair Jack:
The Regional District can decide to send a letter and advocate. We do so every year in several ways, mostly through associations and joint work with other Regional Districts at the Union of BC Municipalities or the Association of Vancouver Island and Coastal Communities. The power that the people have is to send letters to their representatives and their ministers and the opposition to put pressure on and raise awareness. This is important when it comes to issues of reconciliation because it comes down to the Province and the Federal Government having a better understanding of what they should do to allow for true reconciliation practices to be undertaken. Right now there is none of that. Because we follow laws and if there are no laws respecting that, then we have to work together on ensuring there is some way to do it. This needs to be raised to the Board and by citizens working together as well. In the end it will take constituents placing political pressure.
143. Barb Baker:
Thank you very much.
144. Chair Jack:
Thank you.
145. Lorelei Andrew, 3170 10th Avenue:
I am hearing a lot of comments that lead me to the conclusion that there is a lack of agency. This is very disappointing. I hear you say your hands are tied and your scope is limited and encouraging us to go to other levels of government. You mentioned that you can make representations and you have just outlined the means. I wanted to ask what representations you have made to date to Federal and Provincial governments on this issue of a lack of means, of limiting what is proposed to come into being within the ACRD where there are public concerns.
146. Chair Jack:
In addition to letters sent in regards to Health Canada issues, last year in September there was the Union of BC Municipalities convention. Meetings occurred regarding this issue and others with Ministers and Ministers staff with regards to cannabis in general and the difficulty in handling it. These have been attended by members of our staff and Directors as well. Director Shannon, Cote, McNabb all represented the region. I sat in on a few but as a First Nations representative I don't have a lot of expertise in agriculture. The heavy lifters are people like Director McNabb. Your Directors have done very well in representing to the Province what is going on. There is anger and frustration in regards to what is going on here. The problem is jurisdiction but also you don't know how many conversations the Directors have had with me and staff in regards to doing something about what is happening with regards to Mrs. Rossignol's property. We have expended a lot of time and energy. Hearing from you I know we will have a renewed vigor. We can also do



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

our own lobbying. We need to be cost conscious but maybe the expenditure can be justified to get to Victoria for conversations. This is clearly important to the community and to the Directors I have had conversations with. To that end, you will see more activity. I think that you will see that the Directors and Board are heading in the direction that you want to see with the changes to this regulation and changes that you may want to see in the future.

147. Lorelei Andrew:

I would like to reiterate some of the ideas that I heard. I would like to encourage the Board to pursue those nuisance bylaws that were mentioned. And to lobby the Provincial and Federal governments for the funds to enforce. As a person who has worked for the Federal government, I can tell you that it may be a mistake to think that there are other bodies that will come to the rescue once something is permitted. Based on my 16 years experience, the only ones who were able to make a stance in court were the fisheries. I have watched as Federal Government agencies have been dismantled year after year. It is alarming and frightening. I would encourage you to use every means at your disposal now before something comes into being because it is a lot harder to correct after the fact. I liked Wayne Smith's idea. I would encourage you to look into that. I was part of the City of Nanaimo OCP update, which took a lot of citizen involvement but it did happen. Consult with inland waters, fisheries Canada. Ask if there is a contingency plan for any kind of environmental issue and a security deposit to cover those issues. Those are good questions to look into as well. Lobby with other Regional Districts as well and consult.

148. Chair Jack:

Thank you so much for your comments. Does anyone who has not yet had a chance to speak wish to add their comments, please raise their hand or come to the podium now and proceed to state your name and address before beginning. Going once, twice. We will now hear from members of the public who would like to speak a second time or more on the bylaw.

149. Carolyn Thibodeau:

I came to ask points of clarification. What was the exact date that the developers for 7827 applied for their building permit?

150. Alex Dyer:

I don't have the exact date but it was in February, 2018.

151. Carolyn Thibodeau:

When is the final permit expected?

152. Alex Dyer:

We don't know that yet.

153. Carolyn Thibodeau:

What kind of permit will it be?



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

154. Alex Dyer:
They have applied for a Building Permit application.
155. Carolyn Thibodeau:
That is what they applied for in February, 2018?
156. Alex Dyer:
Correct.
157. Carolyn Thibodeau:
And they don't have it yet?
158. Alex Dyer:
We have not issued a Building Permit.
159. Carolyn Thibodeau:
What are you waiting for?
160. Alex Dyer:
The application was with the ALC until January, 2020. After which they approved a placement of fill application and we are working with the applicant on those requirements that came from the ALC decision.
161. Carolyn Thibodeau:
Is this going to be the last permit that they need?
162. Alex Dyer:
Once the building permit is issued the applicant has 6 months to start construction on the building.
163. Carolyn Thibodeau:
Are you under the impression that grandfathering is triggered by applying for a building permit?
164. Alex Dyer:
I don't know if we are able to answer all of those questions at this point. We have spoken a lot about what we believe our ability is to regulate these building applications made under the existing zoning and under the current zoning that we have. If you have specific questions about that I encourage you to chat with me afterwards.
165. Carolyn Thibodeau:
I have emailed you some of these questions in the past. I thought I could get an answer if I asked this way. Chairman Jack, you said something to Christine that I thought was interesting. You mentioned that the Board's thinking on this issue has evolved. It does seem clear that the Board's thinking has evolved over the past year and caught up to where the community has always been. I don't think that we have said anything different than we said last year or when we first learned about this issue. The evolution has been on your



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

end. I want to say that as one of the people who has spent hundreds of hours of my life researching this issue, reaching out to many departments in all levels of government, this has been exhausting. This has been tremendously stressful. It is helpful too that you have evolved. I will continue to fight this grow-op. It will inevitably harm my children mentally and physically, it will harm my community, it will harm Kackaamin. I would very much like to stop fighting with you. You have lawyers, we have lawyers, you have done research, we have done research. The community has come here united and I really hope that after today maybe we will be able to work together and see what we can do. It would be helpful if we were somehow able to work together to come to a solution. We will continue to oppose it to you, the Province, and all of Canada. We do not want to be neighbours to what could quite possibly be the stupidest grow-op in all of Canada. We would really like to stop fighting with you. Thank you.

166. Chair Jack:

Thank you. I think that you have raised some good points in regards to the interface between citizens, citizen groups, and the government. I have never gotten the sense that there was fighting. There may be frustration on perceived inaction or whatnot. From the perspective of say my functions as the Chair of the Regional District I represent the decision-making of the entirety of the body and from that perspective, if the Directors were in a position to take a position it would be my job to represent that position to the best of my ability. One thing that would be beneficial while you are taking notes to ask your lawyer from eco-trust and to mitigate possible back and forth between our lawyers, would be to have a conversation and move ahead as a community. Now that is a community of communities in this case. That being said, I am one Director and I don't have a vote with anything to do with Agriculture as I am a First Nations Director. There are things that we can do to roll back the adversarial nature that I have seen happening here. There is a term in Nuuchah-Nulth that means "pushing up against" or "pushing up". I think it comes from Ahousaht. I learned it from an Atleo. It is something that our citizens would do that is a function of our decision making by consensus. It is different here but it applies. This interaction is how progress happens. It is always messy. It is always uncomfortable. And it is nearly always frustrating for people who are ahead of the curve. That doesn't mean is that it is not important. We need to refrain from accusing members who I personally know are not pushing against the "pushing against" (the constituents/residents), but understanding that we are learning together and moving ahead with an understanding that we think the law is this way and we should clarify it. Let's try to avoid court because that is expensive. These interactions can be unpleasant when we don't work at it. That is a call for all of us to work together and try to understand one another and where we are coming from. Hopefully this is an example of us listening to you and when we interact in the future we endeavor to not only listen to you but to have a dialogue moving forward. Thank you all for staying until 9:20pm. Thank you all and hopefully the PA system worked. You can still speak.

167. Christine Milligan.

Christine submits material (Appendix 'K') and expands on that material:

I just wanted to add examples of a bylaws from other communities. I will submit information from Health Canada.



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

168. Chair Jack:
Are these new pieces or have you sent them in already?
169. Christine Milligan:
I have sent some in but I will give you the whole package. The Township of Langley bylaw was included in the minutes from last public hearing.
170. Chair Jack:
One moment. If individuals could refrain from discussing anything until they leave the building that would be appreciated. We do have someone on the floor.
171. Christine Milligan:
The Township of Langley bylaw was mentioned a bit and was included in the minutes. If the ACRD was to be a Regulated Community you would have the power to regulate within the ALR and prohibit within the ALR. It didn't sound like you were interested in becoming a Regulated Community?
172. Alex Dyer:
I know that you have submitted that Township of Langley Bylaw before. Someone submitted it at the last public hearing. I want to speak about what being a designated farm community means. There are four such communities in the Province. When you are designated by the Ministry of Agriculture as a farming community then must approve any land use bylaws that relate to farmland or impacts to agricultural uses. There are impacts to being a regulated community. The Board would be, in effect, giving up powers and giving up some of its powers in regulating land uses that we can do now that we would not be able to do if we were regulated.
173. Christine Milligan:
What are some examples?
174. Alex Dyer:
You will have to look in the Act. As a local government we would be required to have the Ministry of Agriculture to approve bylaws that we would otherwise be able to adopt here locally. For example, the bylaw standard that the Ministry of Agriculture provides encourages setbacks for communities that are not regulated. Where they are regulated it enforces those setbacks. You lose the local control to decide how you want to site uses within your area. The Ministry would have to approve every bylaw including this one. That is something that the Board could look at. The fulsome impacts of what being a regulated community is but at this point it would not be staff's recommendation to go down that route. We would not recommend that we pursue a farm designation.
175. Christine Milligan:
Has anyone contacted Langley to see how effective their bylaw is with regulating cannabis production? I am curious. I haven't received many answers and not enough.



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

176. Chair Jack:
I don't know if any of the Directors have reached out but I know we have done some research. These questions are a bit specific in that you wouldn't really glean answers today from them.
177. Christine Milligan:
no.
178. Chair Jack:
If we could be more focused that would be appreciated.
179. Christine Milligan.
It is important to find out what is working for other communities while you are looking to develop a bylaw for our community.
180. Chair Jack:
These are good suggestions from a political standpoint and staff are listening to them now. We can be more comprehensive in the research that has been conducted. I will say however we are in the process of a Public Hearing for P1399, which means that by the end of this day all public comments are over. We may come back if the Directors decide to change the bylaw further, whether that is likely I can't speculate. With that in mind if we do change anything, we go through this whole process one more time.
181. Christine Milligan:
I also want to add that the current regulations that I have seen that you have for regulating nuisances and noise don't encourage compliance.
182. Chair Jack:
I am not entirely certain of what you are saying. The problem has been enforcement.
183. Christine Milligan:
They are not strong enough in my opinion. They don't scare people away from causing problems.
184. Alex Dyer:
To clarify, some of the setbacks that we proposed under bylaw P1399 are in excess of what is supported by the Ministry of Agriculture. The example being the 60m setback from residential and institutional zoning districts. That is in excess of what is supported in the bylaw standards. If we were to be a regulated community the Ministry would not be supportive of that. Right now, because we are not regulated, we have local control over our zoning and have ability to implement those. If we were to be a regulated community our hands would be tied in effect and we would need to stick to the encouraged bylaw standard which is less restrictive. Which imposes smaller setbacks that we are attempting to propose with this new zoning.
185. Chair Jack:
To reiterate what Alex stated.



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

186. Christine Milligan:
Okay. Another question is that Director Roberts reported on having an expert in to present to the Board and planning staff would arrange for this prior to the next public hearing. Has this happened?
187. Alex Dyer:
We have attempted to bring in expertise to talk to the Board about the impacts of these regulations. We have not been able to find the right individual to present to the Board. We have gone through a lot of knowledge building through this process. The Board has directed staff that they do still want to hear from industry experts and to tour facilities. When this came about the intent was to tour the facility in Nanaimo but it has been shut down for tours. We are still working on that. As we gain knowledge about the impacts of this industry we are sharing knowledge with the Board and the public where we can.
188. Christine Milligan:
I have one last question about the building next door. Because it was built without a permit and then a permit applied for and issued later, I am wondering with that “commence to be constructed clause” I am wondering how that all fits within all of this.
189. Chair Jack:
That does not impact P1399. What I should be doing is shutting you down because we are supposed to be talking about clearly just this regulation, just this bylaw and we have been patient in regards to this. You have questions and they do not have anything to do with this bylaw.
190. Christine Milligan:
But it does have to do with cannabis production in Port Alberni.
191. Chair Jack:
We are not talking about cannabis production in Port Alberni, we are talking about this bylaw. I should have strict adherence to what is going on but I haven't because I want to be polite. In order for this hearing to go ahead in a way that is acceptable, we should be restricting ourselves to just this bylaw. I would like to say that we will hear you.
192. Christine Milligan:
What I need to hear from you is will that building be grandfathered in under the wording that is used within this bylaw?
193. Chair Jack:
The answer to that question is no because the licenses upon which they are based have nothing to do with what this bylaw talks to. This issue with your neighbour's site has to do with designated grow operations, which are different than the commercial operations that would be undertaken across from the care facility. It is a completely different issue legally; it is a completely different category. It is not really something that we should be talking about here.



REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT PUBLIC HEARING MINUTES FEBRUARY 18, 2020 – ALL AREAS

194. Christine Milligan:
And I thank you for sharing that with me because I had a lot of anxiety over that. You have no idea what this has been like for me. I thank you. That is all that I have.
195. Chair Jack:
Thank you. Is there anything else that staff would like to add? Going once, twice, three times. Is there anyone else who would like to speak? I would like to emphasize that the Board of Directors cannot receive any new information between the end of this hearing and the Board Meeting scheduled for February 26th. If any Board member does so, the hearing would be invalidated and will have to be held again.
196. One submission (Appendix 'L') was provided to the public hearing by a member of the public who did not speak.
197. The public hearing was terminated at 9:36 pm.

Certified Correct:

John Jack, Chair of the Board of Directors

Minutes Prepared by:

Charity Hallberg Dodds, Planning Assistant

Minutes Prepared by:

Sarah Holden, Jr Planner

Alex Dyer Speaking Notes – Bylaw P1399 – Cannabis Production – Feb 18, 2020

- 39 letters from the public (Appendix 'B') were received ahead of the public hearing by 4:00pm today. Copies of the letters received are available, as well as previous referral agency comments (Appendix 'C'). Any additional letters received at the public hearing will be part of the record and all correspondence will be included with the public hearing minutes.

Background

- I am going to discuss the purpose of this public hearing, provide some context on our current zoning regulations and those proposed in Bylaw P1399 and discuss the ACRD's ability to regulate cannabis production in general.

Second Public Hearing for Bylaw P1399

- The zoning amendment has been initiated by the ACRD. This public hearing is not specific to any proposed cannabis facility, it is a zoning text amendment that applies to all land covered by the ACRD Zoning Bylaw.
- This is the second public hearing to be held relating to Bylaw P1399. The first public hearing was held on November 19, 2019. Following the first public hearing, staff were made aware of two letters which were omitted from the correspondence received at the public hearing.
- In order to clarify the manner in which correspondence is received, the ACRD Board adopted an updated Development Procedures and Fees Bylaw in December 2019. The former development procedures process has served the ACRD well but the circumstances of providing correspondence has changed. The new bylaw clarifies the timelines and appropriate channels for receiving correspondence ahead of a public hearing. The advertising of this public hearing and the management of correspondence received ahead of the hearing reflect the new procedures bylaw.
- All correspondence received at the first public hearing, in addition to the two letters which were omitted, and the public hearing minutes and report have already been received and considered by the ACRD Board. Following this hearing, the Board will receive the full public hearing minutes and report at the next Board meeting on February 26th.

Current Zoning Regulations

- The ACRD adopted a bylaw in July 2014, which introduced regulations for the production of medical marihuana. The ACRD then adopted Bylaw P1380 in October 2018 to introduce

regulations for the production of licensed non-medical cannabis under the federal *Cannabis Act*.

- The zoning provisions for non-medical cannabis and medical marihuana production are mirrored in the current Zoning Bylaw:
 - Permitted in the A1, A2, A3 and M1 Districts with a minimum lot size of 6 acres in the A zones and 4 acres in the M zones. The required setbacks are 30m (100 feet) from all lot lines.

Proposed Zoning Regulations

- Upon direction from the ACRD Board, planning staff drafted Bylaw P1399 which would increase restrictions on cannabis production in the ACRD. This was drafted in response to direction from the Board, the current provincial legislation regulating cannabis production on agricultural land, feedback received from our agricultural committees and initial feedback received from the public. The ACRD has received legal advice in drafting Bylaw P1399.
- This bylaw amendment is intended to further restrict where cannabis can be produced in the ACRD. The Board's goal has been to have more control over where cannabis can be produced.
- Bylaw P1399 has been given second reading by the Board. The bylaw would apply the following regulations to cannabis production:
 - Provide updated definitions for non-medical and medical cannabis production.
 - Restrict the construction of any non-soil based structure, building, prefabricated structure or container that is placed, sited, constructed, or commenced to be constructed, after September 1, 2019.
 - Within the ALR, maintain the 30m setback and implement an additional 60m setback from residential and institutional zoning districts.
 - Outside the ALR, implement a 60m setback from all lot lines.
 - Implement a 300m setback from schools and parks.
 - Increase the minimum lot size within the M1 District from 4 acres to 6 acres.
 - Remove the minimum lot size from properties within the ALR to provide consistency with the *Agricultural Land Commission Act*. Cannabis production is considered a designated farm use and cannot be prohibited in the ALR except under specific circumstances. The 6 acre minimum lot size in effect prohibits the use on smaller lots which we is inconsistent with provincial law and could invalidate our bylaw.

ACRD's Ability to Regulate Cannabis Production

- There are three types of cannabis production permitted under federal legislation in Canada: licensed non-medical and medical production, personal medical production and designated medical production. There is a handout (Appendix 'D') provided as a staff

submission to the public hearing which details the timelines and regulatory ability of the ACRD relating to cannabis production. If we are out of copies, leave your contact information with us and we will get a copy to you.

- Bylaw P1399 provides regulations for the licensed production of medical and non-medical cannabis. These facilities are licensed by Health Canada under the federal *Cannabis Act* and the facilities must comply with local government zoning. This includes the standard cultivation, micro-cultivation, nursery, standard processing and micro-processing licenses.
- Personal medical production permits a limited amount of cannabis for an individual's own medical purposes. Designated medical production permits an individual to designate another individual to produce on their behalf. These two types of production are regulated by Health Canada under the federal *Cannabis Regulations* which replaced the *Access to Cannabis for Medical Purposes Regulation* and require that an individual register with Health Canada.
- The ACRD has no ability to regulate personal or designated medical production. The ACRD is not referred on these medical registrations, we are not aware of where they are located within our area and we are not privy to the details or federal requirements within the registration certificate. We have no ability to impose a minimum lot size or minimum setback. Bylaw P1399 will have no authority over personal or designated licenses.
- There can be up to 4 registrations on one property – one personal registration and up to three designated registrations. The number of plants permitted per registration is based on a calculation of the daily amount of dried cannabis as authorized by a health practitioner. The accumulation of medical registrations on rural residential properties in our area has caused real nuisance issues for neighbours. The ACRD has engaged in conversation with Health Canada on these issues and I encourage those faced with related nuisance issues in their neighbourhood to communicate directly with Health Canada or discuss with staff following the public hearing.

Rationale for staff recommendation

- Planning staff believe that the mix of options presented for permitted cannabis production uses, while prohibiting the construction or placement of new non-soil based structures for cannabis production and increasing the minimum setbacks, attempts to strike a balance for cannabis production in the rural areas.
- The intent of the bylaw is to allow for a mix of options, in conjunction with federal and provincial legislation, while attempting to minimize the impact on residential areas.

From: [Kerrie de Witt](#)
To: [Planning Shared](#)
Cc: chokessociety2@gmail.com
Subject: APPOSED TO CANNABIS FARM - Alberni Clayoquot Reginal District
Date: February 17, 2020 12:46:33 PM

Dear Chairperson,

I am totally appalled that you are considering a licence for a cannabis grow-up in the vicinity Sproat Lake, that will destroy the pristine environment around Sproat Lake.

I am a medical professional and I am deeply concerned about the health effects, the influence on water and air quality, the negative influence on our property value and therefor hope that you will NEVER grant a licence for a cannabis plant.

Your sincerely
Dr A J De Witt
(property owner and family physician)

Sent from my iPhone

From: [Amie](#)
To: [Planning Shared](#)
Cc: [chokes.society](#)
Subject: Bylaw P1399
Date: February 14, 2020 1:24:34 PM

I am writing to share my opinion on the topic of growing cannabis in the Alberni Valley and Bylaw P1399.

I am aware of the existing rules set out by levels of government pertaining to cannabis in Canada. I also am aware that the ACRD Board can create new bylaws to ensure the protection of the environment, wildlife and any residents in the areas that would be negatively affected by a cannabis grow. I realize that the proposed bylaw could create a further set back that may help. I wish in general the bylaws could be more proactive rather than reactive in nature. I wish we could learn from what so many other people in BC and across Canada are experiencing living in proximity to a cannabis grow facility.

My concerns are surrounding air quality, the fact I garden organically and do not want any chemical or fertilizers spewing through the air, into my lungs and on my garden goodies I eat. I want my family to be able to sit outdoors and breath freely, not feeling like they are being “choked” on the air which is what many people complain about. I don’t want the night sky polluted to mess the clocks of tons of wildlife in our area.

My frustrations surround the fact that everyone seems to be reactive rather than proactive. I personally would rather not wait until the irreversible damage has been done to the soil, water, underground aquifer, nearby streams and lakes, the nightlife of bugs and such that make our world go around... literally. When we mess with nature, as in night lights emitting from greenhouses all night long or chemicals spewed to mask odors or control funguses, we mess with our future. We are messing with our children’s future ability to enjoy what we are blessed with in nature today. Some messes are not able to be reversed or fixed and this fills me with dread.

I am frustrated by the lack of anybody able to control any of these grow facilities as is reported in the news plus which as been relayed to me first hand by people living in proximity to current cannabis grows. All many can do is send in an email of complaint, day after day, week after week, month after month while their quality of life and property value plummets. The many stories I am aware of make me wake at 2am in...dread and fear for our future here.

This is such a new industry, brand new “agriculture” crop that is in its infancy. Studies on air quality and the new levels of pollutions being discovered solely due to cannabis growing, well, they are being studied right now. We have no answers as to... what this may mean to our environment. Cannabis is not the same as a tomato crop, simple as that. VOC, Volatile Organic Compounds are being studied. Until we have solid proof of the many questions surfacing, I feel we need to protect the environment, people, and keep ALR land for food production.

I realize these are not all concerns that the ACRD Board can answer. What we can do is be sure of what we allow in our community, make sure what is allowed will not harm or negatively effect entire neighbourhoods. We can be proactive like some other communities have. We won’t say NO cannabis but rather where is the most intelligent place to allow this new crop to be grown, so everyone can benefit. A win-win scenario. Cannabis is here to stay, let’s make it work for us, become a promoter of fair growing and not become a company vs a neighbourhood of people who were there first.

The ACRD Board can create strong bylaws to allow cannabis only in Industrial areas away from where people live. Our Valley has a ‘high orange to low red’ air quality zone already, being a Valley we have inversions that are particular to our area. We need to know that cannabis growing will not force people to leave this valley so they can breath. The number one reason listed on the Zoning Bylaw on ACRD website is

1. The promotion of health, safety, convenience and welfare of public.

We are the public, the residents that will be greatly affected. I have lived here for decades, was born in Port. I do not want to have to leave this Valley because of cannabis, or rather because I can’t breath outside, have my family

visit me, grow my beloved gardens of organic greatness and just hang outdoors.
I do not want a prison like building with gates and high fences being my view in my rural area.

I realize you have a very difficult position to be in with what you can and can't do. I just hope you do all you can to keep the people who are living here now while encouraging the growth we so need here. We have areas that cannabis can be grown that won't be near current homesteads. I have heard of many suggestions that I am sure you are aware of also, Industrial being top choice as higher taxes paid to the community vs ALR land that, in my opinion, should be for food only. I appreciate that bylaw P1399 is suggesting further set backs though wish the bylaws could really control commercial and micro cultivation so residents and wildlife are not negatively effected.

Thank you for your time.

Amie Littlewood
resident of Sproat Lake District

From: [Amie](#)
To: [Planning Shared](#)
Cc: [Chokes Society](#)
Subject: Bylaw P1399
Date: February 18, 2020 4:11:51 AM

To ACRD Board,

I feel Bylaw P1399 can be amended to reflect the removal of the date of September 1, 2019.
Page 1, section 2, part b, i.

i. "production, growing and associated processing, storage or distribution of cannabis for medical purposes within a non-soil based structure, building, prefabricated structure or container that is placed, sited, constructed, or commenced to be constructed, after September 1, 2019;"

If this date is removed then all parts of the ACRD are treated equally in relation to cannabis in their neighbourhoods.

I am shocked that the cannabis grow operation has been approved across from the First Nations Kaackamin Family treatment centre, where a day care is also on site. Now a cannabis grow will be right across the street and beside families who have worked hard to own their homes. Now they have to live with a concrete cannabis building in their landscapes and the myriad of problems reported all across BC and Canada from people who are living near a cannabis grow factory.

It is very shocking to me that this particular site in Beaver Creek has been approved. The "other" medical cannabis grow in Beaver Creek currently happening that negatively effects residents who are forced to live in close proximity and have had their lives turned upside down due to the actions of the cannabis grow next door to them. Why is there no protection for these residents?

Why can't the ACRD implement similar bylaws like other communities have done to ensure protection of all residents? To have your life ripped apart because of a next door "neighbour" and their actions, to worry about the health of your children when you live "in the country" because of cannabis next door. I am stumped to find any answer as to why....Why can't people here in Port have the same protection as other communities have?

Who would really want this in their back yard?

There is one micro-cultivating licensed cannabis grow in the City limits, I have heard and read comments about the smells around Argyle and 3rd, how bad the odours are and some people won't go to that part of town anymore. I have a friend who won't go to the Brie and Barrel for a meal again because of the smell of cannabis during a visit there previously nor will she shop in any business in that specific area anymore. Business lost is the Mini Price store, Flandanges and Gibsons as she will not ever return to the 3rd area of town. How will we attract tourists to Port when residents can't be in that area?

This doesn't sound to me like a way to build our economy but rather is making sure a specific area of town will not be visited by residents or tourists.

I am against any cannabis factory in any neighbourhood where it can negatively effect the

people, environment and wildlife.

I believe there is a place that can be created to allow cannabis, Industrial areas away from people, where odour, light and noise pollution isn't a concern and where people won't have property value declining prices because of a cannabis grow in their neighbourhood.

I feel strongly this entire Alberni Valley may be the wrong place to allow cannabis to grow because we are situated in a Valley...and have inversions that cause us air quality concerns. Last week there was an alert from Environment Canada about Air Quality. We already have problems that affect the respiratory health of residents.

We need to protect what we have before it is too late, make sure we know all possible concerns before we allow cannabis in all zones.

Why not find a location where cannabis can be grown to help our economy, create a job or two, why not create an entire cannabis zone in an zoning area that is appropriate. This would be a win-win as Port could welcome the tax dollars these businesses would offer and the health and quality of lives of residents.

Proactive and not just reactive.

I hope all possible bylaws that can be created and added to for our protection , for the quality of our lives, so our children and future generations are allowed to have the enjoyment we currently have.

Please be like other communities and think of the people first and protect us.

If a cannabis grow moves to my neighbourhood I probably will leave the home my Father raised me in, where I have lived now for decades with my own family. I will probably leave the Valley I was born in and have proudly called home.

This is a video that has been created for Chokes, a local society I am a proud member of. We stand for Community Health Over Killing Environment Society. We don't want to "choke" on our air.

This is a short video presentation to share how we feel and explain why.

<https://vimeo.com/391748097>

Thank you for your time,

Amie Littlewood
Resident of Sproat Lake District

From: [Johan Smit](#)
To: [Planning Shared](#)
Cc: [Chokes Society](#)
Subject: Cannabis campus proposal Sproat Lake
Date: February 15, 2020 2:51:01 PM

Feb. 15, 2020

To the ACRD Board

Please acknowledge receipt of this e-mail. My previous letter from November did not make it into the public record.

I am a Sproat Lake resident who are very concerned about the cannabis farm proposal so close to the lake. Apart from the foul odour, the noise, the light pollution, the air pollution and the traffic congestion that will directly impact the adjacent farmers, I am also very concerned about the water pollution in Sproat Lake.

The 50 acre outdoor cannabis plantation will be sprayed with pesticides, and fertilizers will be used. The run-off wastewater from this large area cannot be contained in any way. An assessment done by a private geologist and hydrologist showed on diagrams where and how this contaminated water will run into the lake. The result will be a huge algae bloom in the lake that will kill the fish and plant life. This damage will be IRREVERSIBLE. Furthermore, after 3 years the water in the lake will be rendered UNFIT for human consumption.

This will be an unthinkable ecological disaster for the residents as well as the farmers who have invested in property in this area. Most homes get their water directly from the lake. Where will they get water from after Wild Coast Canna has destroyed their water source? This impacts on a whole community, not just a few people. People have invested a lot in properties here, and the values of those properties will plummet. Some people have lived here for many years building equity in their homes just to potentially lose it because of a cannabis plantation.

Sproat Lake will no longer be a tourist destination either. Nobody will be able to swim or do water sports in the toxic water. There will be no more fish to catch. There will be no more bird life; those still alive will move away. Nobody will come camping, boating or visiting anymore. This will have serious, far reaching consequences for Alberni Valley tourism, and it will be permanent. Once Sproat Lake is destroyed, it can never be turned around to what it was before.

We were told by the Chairman of the ACRD Board at a meeting to write to Scott Fraser and Gord Johns as the board has no jurisdiction over the water and air. I did that, and got a letter back from Scott Fraser's office in which they shrug their shoulders, and state that they can only do something once the cannabis company breaks the regulations, so only 'after the fact'. In other words, there is nothing they can do to prevent the destruction of Sproat Lake. This is very upsetting and downright unbelievable. This company can just sweep in, plant 50 acres with cannabis, destroy Sproat Lake and create havoc in the lives of the people living here. We, the people who will be so disastrously impacted, have no recourse, and there is nothing we can do. This is not fair and this is not right. This is a democratic country, and we have rights.

Cannabis is not a 'farm crop' essential to sustain human life. It may have medicinal qualities which can help some people. It is used by roughly 15% of the Canadian population. How is it possible that this new so-called 'farm crop' can threaten the health and livelihood of so many people if it is used by so few? This makes no sense at all.

I implore the ACRD Board to seek a special injunction from BC Province to keep these cannabis companies off the valuable farmland in these ecologically sensitive areas. You, the Board, represents us, the people who live in these districts. Please help us, and do something to protect us!

Annemarie Smit

From: [Johan Smit](#)
To: [Planning Shared](#)
Subject: Fwd: Microphones at Final Hearing on Tuesday Feb. 18, 2020
Date: February 18, 2020 8:18:10 AM

>

> For the hearing this Tuesday night, could you please provide microphones for the chairman of the board, as well as for the public who want to speak? At the November Public Hearing there were no microphones in the hall, and many people were frustrated afterwards because they could not hear much of what was said. I was sitting close to the front, and could not hear well at all. Other people around me also complained about that. At a public hearing the whole point is to hear what is said. That is what they come for. It is important to have microphones.

>

> I am looking forward to your response.

>

> Sincerely,

>

> Annemarie Smit

>

>

From: [Andre van Zyl](#)
To: [Planning Shared](#)
Cc: chokessociety1@gmail.com
Subject: Industrial Cannabis Facility Beaver Creek
Date: February 18, 2020 2:39:52 PM

A comprehensive search and peer reviewed and grey literature published between 1900 and 2017 about the Commercial Australian Cannabis Industry by School of Science and Health, Western Sydney University of Sydney , Australia and published in an article in Int. J. Occup. Environ. Health 2018 Oct.24 (3 - 4) 75 - 85

by Maggie Davidson stated that:

‘Cannabis harvesting and initial processing is labour intensive, and presents a physical hazard Depending on the operation, workers may also be exposed to a variety of biological, chemical, and physical hazards including: organic dusts, bioaerosols, pollen/allergens, volatile organic compounds, psychoactive substances (tetrahydrocannabinol [THC])), noise, and ultraviolet radiation.’

People living near these facilities can also be exposed to above hazards.

I am completely against an Industrial cannabis facility in Beaver Creek.

Dr. Andre van Zyl
Port Alberni

From: [Barbara McLean](#)
To: [Planning Shared](#)
Subject: Public Hearing for Bylaw P1399
Date: February 6, 2020 5:21:10 PM

Dear Directors and staff of ACRD,

My name is Barbara McLean. I am a resident of Port Alberni.

I am writing in regard to WCC's proposed cannabis operation adjacent to the lake.

It is my hope that bylaw amendments be enacted to limit or prohibit this operation.

Full consideration has not been given to the environmental effects of locating this operation in a non-industrial zone. Residents are concerned that emissions will impact air and water quality. Another concern relates to light pollution.

Sproat Lake is home to hundreds of families who are deeply invested in the conservation of its natural character. The area is visited by thousands more every year. Its economic significance outweighs any financial benefits that would derive from this venture.

The Alberni Valley offers various industrial zones. I ask that this new industry be limited to an appropriate location.

Finally, may I suggest that the logistics of the upcoming hearing be managed differently? The layout of the last meeting was not conducive to open communication. As you'll recall, ACRD staff sat opposite the crowd in a "panel" format, with speakers' backs to the audience. Consequently, a lot of information was not communicated.

Perhaps a better structure would be for ACRD staff to be seated in the front row, and for speakers to face the crowd.

Thank you for your consideration.

Best regards,

Barbara McLean

From: [Corinne Couture](#)
To: [Planning Shared](#)
Subject: Cannabis Production Regulations
Date: February 14, 2020 11:16:23 AM

To whom it may concern,

I am writing in support of cannabis production in the ACRD. My family has owned lake front property at 8395 Dickson Drive in the Sproat Lake area since the 1950's, and my mother continues to own the same property. I also live in the ACRD (Beaver Creek).

As long as mitigations and monitoring are in place to ensure fertilizer run off and effluent from potential ditches and drains does not affect lake and river/stream water quality, I believe the net benefit for diversifying our local economy through cannabis production is well worth it.

Thank you,

Corinne Couture

From: [Christine Milligan](#)
To: [Planning Shared](#)
Cc: [Josie Osborne](#); [John Jack](#); [Alan McCarthy](#); [Wilfred Cootes](#); [Kirsten Johnsen](#); [Sharie Minions](#); [Douglas Holmes](#); [Mike Irg](#); [Alex Dyer](#); [Amy Anaka](#); [Sarah Holden](#); [Mayco Noël](#); [Bob Beckett](#); [Tanya Shannon](#); [Kel Roberts](#); [Penny Cote](#); [John McNabb](#); [Dianne Bodnar](#); [Rachelle Cole](#); [Debbie Haggard](#); [chokessociety1@gmail.com](#)
Subject: Zoning Text Amendment Bylaw P 1399 letters, bylaws, photos for awareness and consideration
Date: February 17, 2020 11:59:57 PM
Attachments: [Norfolk \(Ontario\) bylaw.pdf](#)
[esquimalt bylaw.pdf](#)
[Seshelt bylaw.pdf](#)
[Leamington Cannabis Regulation.pdf](#)
[PastedGraphic-5.pdf](#)
[PastedGraphic-23.pdf](#)
[PastedGraphic-24.pdf](#)
[PastedGraphic-12.pdf](#)
[PastedGraphic-13.pdf](#)
[PastedGraphic-17.pdf](#)
[PastedGraphic-9.pdf](#)
[PastedGraphic-10.pdf](#)
[PastedGraphic-11.pdf](#)

To Alberni Clayoquot Regional District Board of Directors and Planning Staff.

February 17, 2020

Re: Zoning Text Amendment Bylaw P 1399

I am writing to share some of my thoughts in regards to the proposed bylaw amendments, and to share some of my experience, research, and wishes for the development of Bylaw P1399. As there are many new ACRD Board of Directors since the current cannabis regulations were developed, I think it is important that new board members are aware of some of the facts surrounding my family's experience with cannabis production within the ACRD, and why I so firmly believe there needs to be increased regulations, and more specific definitions of what exactly is permitted, and what is exactly prohibited. I believe it is the responsibility of the ACRD to adopt regulations that aim to protect the lives and interests of the residents of the ACRD, and to not support the development of policies that have the potential to inflict harm on residents and properties within the ACRD.

I have heard ACRD planners speak to the importance of their bylaws being consistent with ALC regulations and the ALC act. ACRD can prohibit the construction of the permanent cement-based building proposed on Beaver Creek Road across from Kackaamin Development Centre because construction had not been started at the time the ALC regulations were updated.

I am curious why the date, September 1, 2019 needs to be included in the proposed amended definition of both medical and non-medical cannabis production, and how specifically excluding “ i. production, growing and associated processing, storage or distribution of cannabis for medical purposes within a purpose-built, cement-based structure or building constructed, or commenced to be constructed, after September 1, 2019” benefits the residents of the ACRD? I oppose this line within the bylaw.

I am also curious as to why the proposed amended definition includes the word “commercial” in its definition of non-medical cannabis production, by specifically including the word “commercial” to the definition, but the word “commercial” is specifically excluded from the proposed definition of medical cannabis production. Is the ACRD not planning to regulate commercial medical cannabis production? How does this benefit residents of the ACRD?

I also noticed because of changes to the ALC regulations, local governments cannot prohibit cannabis production on lands within the ALR. If ACRD can't regulate lot size in the ALC, then why not increase setbacks? If ACRD increased setbacks, there would be less need for regulating nuisances. Prior to February 12, 2020, any time I had been at a meeting and increasing setbacks were discussed, planning staff continued to refer to the “Regulating Medical Marijuana Production Facilities in the Agricultural Land Reserve Bylaw Standard” ALC created for local governments to develop medical marijuana production bylaws back in 2015, but in written communication by a representative from ALC provided at the last public hearing in September 2018, the representative referred to the 2015 guidelines as being “outdated”, which they are. A lot has changed since 2015, and a lot has changed since last year. The District of Sechelt imposes 100-meter setbacks within the ALR. ACRD only proposes 30-60 meter setbacks in the ALR, so greater setbacks are definitely a possibility that needs to be considered going forward with the development of this bylaw.

I have also heard planning staff say that if a use, such as cannabis production, is permitted within a zone, the nuisances typical to the use permitted are also permitted within the zones the specific use is permitted. Why would ACRD planners continue to permit conditions that subject residents and properties within the ACRD to the negative impacts of cannabis production if they don't have to? There are areas within the ACRD that the ACRD can prohibit cannabis production, but they don't.

I have reviewed other bylaws recently created in other communities that appear to be much stricter with regulating many aspects and types of cannabis production, nuisances, greater setbacks, mandatory buffers, etc. The ACRD do not seem to be interested in going this route, which I think is irresponsible, yet not surprising, considering my family's experience with them as a result of our neighbour's actions.

I think this zoning bylaw amendment needs to be inclusive to all types of cannabis production, including medical personal and designated cannabis production. I hope that by sharing my story, it will increase awareness of this specific category of cannabis production already occurring within the ACRD, and of some of the impacts this has on my family. I also think it is important that people are aware that our community is not protected from this type of development, and that without specific regulations in place, every property within the ACRD is open to exploitation. Every neighbourhood is rendered vulnerable to the impacts.

Medical marijuana/medical cannabis designated growers aren't specifically addressed within this proposed bylaw, but personal medical growers are, and they are specifically excluded from the definition of medical cannabis production, which means they are specifically excluded from regulation. This is alarming because of what my neighbours have done, and because what has happened to me could happen to anyone living within the ACRD the way this bylaw amendment is currently written:

“Medical Cannabis Production means the production, **growing**, processing, storage or distribution of cannabis for medical purposes as **permitted by federal legislation**, but **specifically excluding the:**

i. production, growing and associated processing, storage or distribution of

cannabis for medical purposes within a purpose-built, cement-based structure

or building constructed, or commenced to be constructed, after September 1,

2019;

ii. storefront or retail outlet distribution of cannabis; and

iii. **growing of cannabis by an individual for their personal use.”**

For anyone who isn't already aware, the way it works is, any person who claims to need cannabis as medicine gets a doctor to fill out an authorization, it is like a prescription. Apparently cannabis doctors can be easily accessed through Google and a Skype interview. With this authorization, patients can either purchase their authorized amount from a “licensed” producer, or register with Health Canada to grow it themselves, or designate someone to grow it for them. Health Canada permits up to 4 personal “registrations” to be grown at one address. Doctors decide the allotted use per day, and Health Canada has an online gram/plant calculator that people can use to figure out how many plants they can grow from how many grams their doctor authorizes them to use per day. One “registration” can permit a person to grow up to and in excess of 400 plants. With Health Canada permitting 4 “registrations” worth of cannabis to be grown at one address, either by 2 designated growers each growing for two patient’s “registrations”, by a person growing for themselves with their “registration” and as a designated grower for another patient with a “registration”, or by **4 people with “registrations”, each growing medical cannabis for themselves at the same address**. There could be close to, or even more than 2000 plants grown legally on any size property, at any location on any property, anywhere within the ACRD, and without any regulations.

<https://www.cbc.ca/news/canada/toronto/york-regional-police-grow-operation-cannabis->

[plants-three-charged-1.4997432](#)

<http://health.canada.ca/en/health-canada/services/drug-health-products/buying-using-drug-health-products-safely/cannabis-medical-purposes/accessing-cannabis-medical-purposes/production-cannabis-medical-purposes/calculator.html>

Health Canada, also does not have the same regulations for these types of growers as they do for “licensed” producers. In fact, Health Canada does not set any regulations in regard to nuisances, noise, smell, chemical usage, waste disposal, property size, location, etc. They just allow it, and let the lower levels of government decide the rest, which is also incredibly irresponsible.

I live on a two acre lot in the A1 zone of the ACRD. My neighbour’s property is the same size. My neighbours purchased their property in 2015. In 2017, they built a 3600 square foot cement based building, specifically built for the purpose of growing marijuana/cannabis, behind an existing 984 square foot barn. Both are located approximately 15 feet from my property line, and approximately 40 feet from my home. My neighbours also extended and enclosed a former RV shed, which is now 830 square feet, located approximately 90 feet from my property line. All construction was completed without building permits from the ACRD. The ACRD issued a building permit for the 3600 square foot building that was built specifically for the purpose of growing marijuana/cannabis on March 21 of this year. The permit ACRD issued to my neighbour was for a “shop”, even though ACRD was fully aware of the purpose and use of the building, that cannabis is continually produced in these buildings, and having a full awareness of the impacts this development has had on the neighbourhood.

ACRD planning staff have stated that they cannot regulate personal and designated production of medical cannabis, yet Health Canada specifically states that these types of growers need to abide by local government bylaws, “You are also expected to comply with all relevant provincial/territorial and municipal laws including local bylaws about zoning, electrical safety, fire safety, together with all related inspection and remediation requirements.” <https://www.canada.ca/en/health-canada/services/information-bulletin-safety-security-considerations-producing-cannabis-for-own-medical-purposes.html>

Other communities have created zoning bylaws that specifically address these types of growers. I know ACRD planning staff are aware of this because I have specifically given paper copies of these bylaws to them.

<https://esquimalt.ca.legistar.com/LegislationDetail.aspx?ID=11984&GUID=3EE0C229-F079-4377-A6F6-36B9563702FD&FullText=1>

<https://www.norfolkbusiness.ca/wp-content/uploads/2018/05/Cannabis-byLaw-25-Z-2018.pdf>

If ACRD doesn’t have bylaws in place, then there is no responsibility for them to

regulate. At a board meeting, I heard a planning staff specifically state that this bylaw will not address medical personal and designated growers. I know they can include these types of growers in this bylaw because other communities have and do.

I will never get used to the constant noise from fans and humming from the buildings, or the skunk smell that is present more often than not. For the past two weeks every time I came home and stepped out of my car at the end of the driveway the first thing I smelled was skunk. Going out to feed the animals in the morning, or working in the yard, my experience was the same. On Sunday, the smell was so offensively strong. It must have been their harvesting weekend, because the pile of growing waste has also increased in size at the top corner of their property right next to my fence line and field.

I am not entirely opposed to people growing a reasonable amount of cannabis on their property in a way that promotes a safe, respectful, and enjoyable existence for themselves and their neighbourhoods, and I am sure there are many growers who go about their business in a respectful way within the ACRD, but unfortunately for me, my neighbours do not. The ACRD is aware of all of the problems my family has experienced as a result of this particular development, including how it impacts how we can use our land. The ACRD is also fully aware that the property value of the two-acre lot I live on has decreased by twenty percent, and the value of the two acre lot my parents live on the other side of me has also decreased by ten percent as a result of this development. When the property appraiser from BC Assessment came to check the properties, she said she was shocked at the development, that this is permitted, and fully agreed that the development has impacted our property values.

The ACRD needs specific regulations in place to prevent others living within the ACRD from having to go through what we have, without any way to prevent or stop the problems, which is why the specific classification of medical marijuana/cannabis personal and designated growers need to be included with restrictions in the amended bylaw. With your positioning as staff and board of directors of the Alberni Clayoquot Regional District, you are privileged with certain powers to make decisions in the creation of specific bylaws. I think it is important that you are aware of the facts surrounding the decisions you make and the regulations you agree to approve, because what is specifically included or excluded in this bylaw will either help or harm individuals and properties you are responsible for as a result of your positioning. It is your responsibility to use your power in responsible ways. The way this zoning bylaw text amendment, and the ones regulating marijuana/cannabis production before this one have been crafted and approved enables, and in many ways encourages the exploitation of properties located within the ACRD.

Thank you for taking the time to read this and consider my concerns.

Christine Milligan

Christine Milligan

6483 Beaver Creek Rd

Port Alberni, BC

V9Y 8L5

February 26, 2019

To: Alberni Clayoquot Regional District Board; Martin Collins, Agriculture Land Commission; Ministry of Agriculture; Ministry of Environment; Todd Cain, Health Canada; Gord Johns, MP; Scott Fraser, MLA.

Re: 7827 Beaver Creek Road, Medical Cannabis Production Facility

6467 Beaver Creek Road, Medical Marijuana Designated Production Facility

I am opposed to the development of a cannabis production site located in a residential area on agricultural land and across the street from Kackaamin Family Development Centre at 7827 Beaver Creek Road in Port Alberni that will use Beaver Creek water supply, and that is close to riparian zones. I am opposed to the ALC granting the owners of this property a non-farm use permit to construct a massive cement building on ALR land to house an industrial grow op that will be operational 24 hours a day. I am opposed to this operation exposing neighbors to constant light, noise, odor, and environmental pollution. I am opposed to this type of development forever changing the landscape of the property and the enjoyment and use of neighboring properties. I am also opposed to designated production of medical marijuana/cannabis that enables mass production on land incompatible with this use.

I live adjacent to a cannabis/marijuana production/processing operation located at 6476 Beaver Creek Road in Port Alberni that apparently operates under designated production registrations. I am aware that former owners had been growing in the barn and in the house prior to new owners purchasing the property. The way the former owners conducted business did not impact my life. My experience has been much different since the new owners moved in about two and a half years ago. It didn't take long for the new owners to expand the operation, first excavating a huge area, then constructing a huge building and expanding another building on the property, installing power poles and lines, removing mass amounts of soil and trucking in mass amounts of rock. For about two years, heavy equipment was operating regularly next door. To my knowledge, this development was all unregulated and completed without permits from the ACRD.

The appearance of my yard has drastically changed with an eight-foot cedar fence built part way up my driveway this past summer, which extends to part way up my backfield. My view is of that and of electrical poles and cables, half-dead evergreen trees, and of buildings and rooftops all along the other side of the fence, with steam visibly emitting from these buildings on colder days. Growing waste continues to be piled on the other side of the fence at the top corner of my field.

My experience living next door to this type of operation has and continues to be extremely stressful and it has impacted my health and quality of life. My family has been forced to endure guard dogs barking day and night, attacking and killing our birds, and threatening us on our property, running at the fence line and scaring us and our horses, constant noise from ventilation systems and constant humming noise from inside buildings, a skunk-like smell permeating our property and living space, which has been really strong on some days and less on others, sensor lights lighting up the entire property, growing waste flowing through our field, the sudden death of chickens and ducks after spending time in this field, increased traffic and human presence day and night, and an incredible

amount of time spent trying to find out what is going on, what can be done about all of this, and who will help. My new neighbor is also currently scheduled for trial this spring on charges from this past summer of two counts of assault and careless use or storage of a firearm. What was once a peaceful, enjoyable, productive and safe existence here is no longer. Plans for future development on this property where I live are no longer possible. Opportunity to sell this property and relocate is no longer feasible.

I am forty-four years old. I have lived most of my life between this two-acre section of land I live on and the two-acre section next door where I was raised. I have also raised my children on this property for over twenty years. I grow and raise most of the food my family eats here. My life has been created here, and all aspects of how I live my life are based around where I live. This is my home.

I also attended Beaver Creek School, I have worked at Kackaamin Family Development Centre, and I currently work for health and social service organizations in Port Alberni. The setting of Kackaamin is very peaceful. Staff is highly qualified and the program is highly respected within the community. Families attend Kackaamin for healing and recovery from addictions, reclaiming their lives and transforming relationships with self and others. The development of an industrial cannabis production site across the street will negatively impact the programming and purpose of Kackaamin and the families it serves. I also know people who live on neighboring properties to the proposed site. I am aware animals are raised for food and people grow gardens and live peaceful lives on these nearby properties. A three-leveled 27,000 square foot footprint cannabis production facility built in their neighborhood will negatively impact their lives and how they are currently able to use their land.

I know this because of what my experience has and continues to be. The problems my family and I are experiencing are multi-faceted, and are seemingly impossible to stop. My family and I have reached out to a variety of individuals at all levels of government, and nobody seems to have answers. Legislation is not set to protect neighbors. Legislation allows these problems to continue. Legislation at all levels of government needs to be updated to prevent these problems we are experiencing. The fact is that there were no problems prior to this development. My new neighbor created this setting so incredibly intolerable, yet it appears that all he has to do is make a few adjustments to how he operates and he's "good to go" After all, what can ACRD do if they can't regulate this use? Once a person or group is empowered with a bunch of registrations to produce marijuana/cannabis and they have access to property, it seems as though pretty much anything goes. Courts have decided that it is a patient's right to produce/process their own marijuana. Health Canada has decided patients can designate people to produce/process it for them. Where are my rights in all of this?

Countless news articles show that designated producers operating on this level are caught growing more than they are permitted. An article posted online by CBC on January 29, 2019 shares a story of a designated production site growing far in excess of the permitted registrations. At this specific site, 3 registrations were authorized to grow 1752 plants. <https://www.cbc.ca/news/canada/toronto/york-regional-police-grow-operation-cannabis-plants-three-charged-1.4997432>. These operations are getting too big to be operating without any rules. The online plant/authorized daily gram ratio converter through the Health Canada site converts indoor production of 1752 plants to an authorized usage of 360 grams per day. <http://health.canada.ca/en/health-canada/services/drug-health-products/buying-using-drug-health-products-safely/cannabis-medical-purposes/accessing-cannabis-medical-purposes/production-cannabis-medical-purposes/calculator.html>. If this total authorized daily usage were to be divided equally by the three registrations, it would mean each person would be authorized to use 120 grams per day. Who needs this much marijuana? Who are the doctors authorizing this level of use? Is this level of use even safe? Health Canada permits 4 registrations to produce/process at one site. If three registrations permit 1752 plants to be grown at one site, there is a possibility that with four registrations, 2236 plants could be grown at one site. My neighbors could be permitted to be growing 2236 or more plants. Is that not considered commercial scale? Completely unregulated?

Another document, Information for Health Care Professionals: Cannabis (marihuana, marijuana) and the cannabinoids, prepared by Health Canada in the spring of 2018 states, "Taken together, data from patient surveys

and clinical studies suggests that most patients use up to 3 g of dried cannabis per day for medical purposes, although much less (< 1 g/day) can be used with apparent efficacy and decreased incidence of side-effects." <https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/information-medical-practitioners/information-health-care-professionals-cannabis-cannabinoids.html>. Using the Health Canada online indoor plant/ authorized gram per day converter as noted above, a registration certificate permitting 3 grams of dried cannabis per day grown indoors converts to an authorized production of 15 plants. Even if one site were producing for four registration certificates permitting 15 plants each, there would still be 60 plants growing at one site. How much cannabis growing at one site is acceptable and safe? Completely unregulated?

Policy makers at all levels of government and the courts need to know the impacts of this type of development on neighbors, although I am highly aware that we are not alone in our experience, and these problems we are experiencing are not new. This is not fair to the ones living next to these operations or to the ones trying to clean up the mess.

I am very aware that licensing and regulations are different between the type of operation that is next to my home and of what is proposed at 7827 Beaver Creek Road, but I strongly believe that if this development is approved, there will be a lot more similarities than differences between the two. There is no guarantee that this development will be environmentally safe. Countless articles show that even licensed producers who supposedly must adhere to strict regulations are getting caught with unauthorized toxic chemicals on their product <https://nowtoronto.com/news/class-actions-launched-med-pot-patients-sold-pot-tainted/> <https://www.ctvnews.ca/business/management-shakeup-at-manitoba-based-pot-producer-after-health-canada-recalls-1.423>, and neighbors are regularly going public with a variety of nuisance complaints from these licensed production facilities. Have policy makers even looked into the ingredients of the long lists of insecticides, herbicides, fungicides, fertilizers, etc. that producers are using? Have policy makers even considered what the impacts are to both people and animals exposed to these chemical products? Or what happens as a result of these chemicals making their way into the food chain? How much of the waste piled at the top corner of my field is trucked in from other grow ops around town? Are there even any environmental or agricultural laws in place to deter such specific, yet ambiguous practices? Or do we promote such practices as a result of not having anything specific in place?

What about the dispensaries that continue to operate selling this completely unregulated product to the public? Would this not be considered a public health concern? Has anyone asked the neighbors to the dispensary located at 6287 Beaver Creek Road if they want a dispensary located across the street or next door to their home? Does it even matter to policy makers what their response might be?

I am in no way opposed to the use of cannabis/marijuana for medical or recreational purposes, and I am aware that Port Alberni needs the income from these types of operations, but I am opposed to industrial commercial level production on farmland where people and animals are living nearby. I am also opposed to this level of development located across the street from Kackaamin Family Development Centre. There needs to be transparency and accountability with this level of operation. The problems my family is experiencing could have been prevented. The problems that neighbors to 7827 Beaver Creek Road are facing can be prevented. I don't want the neighbors to this property to suffer in the way we have been. Our community needs Kackaamin to be able to continue the valuable work they do. My family needs the problems we are experiencing to stop.

Perhaps we all might want to consider shifting the focus to cleaning up the messes we already have here instead of adding a new one to the Alberni Valley.

Sincerely,

Christine Milligan

Spring 2018 (View from my Back Porch)

View at top corner of field at 6483 Winter 2019

View from front of property at 6491 Winter 2019

Spring 2018 (View from 6491 Beaver Creek Rd)

Spring 2018 (View from 6491 Beaver Creek Rd)

Winter 2018/2019 (View from 6491 Beaver Creek Rd)

Winter 2018/2019 (View from 6491 Beaver Creek Rd)

Spring 2018 (Growing Waste Spread Along 6467/6483 Fenceline)

Spring 2018 (Growing Waste in Back Field of 6483 Beaver Creek Rd)

Spring 2018 (Growing Waste in Back Field of 6483 Beaver Creek Rd)

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2929

A Bylaw to amend Bylaw No. 2050, cited as the
"Zoning Bylaw, 1992, No. 2050"

THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESQUIMALT, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the *"ZONING BYLAW, 1992, NO. 2050, AMENDMENT BYLAW, 2018, NO. 2929."*
2. That Bylaw No. 2050, cited as the "Zoning Bylaw, 1992, No. 2050" be amended as follows:

(1) By adding the following to **PART 1 – INTERPRETATION Section 2. DEFINITIONS:**

- (a) "Cannabis" means the same meaning as the Cannabis Act (Canada).
- (b) "Cannabis Lounge" means a building or part thereof including decks, patios and balconies used for medicinal or recreational consumption (smoking or oral consumption) of marijuana or cannabis and related products or derivatives.
- (c) "Cannabis Plant" means the same meaning as the Cannabis Act (Canada).
- (d) "Medical Marijuana Production Facility" means a building used for the commercial production of marijuana for medical purposes by a person, including a corporation or other form of business, who holds a valid and sustaining licence for such production from the Government of Canada.
- (e) "Store, Cannabis Sales" means the use of land, building or a structure for the retail sale of cannabis by a person, including a corporation or other form of business, who holds a valid and sustaining provincial licence to sell cannabis through the retail market in British Columbia.

(2) By amending the following definitions to **PART 1 – INTERPRETATION Section 2. DEFINITIONS:**

- (a) "Business and Professional Offices" is amended by revising the concluding exclusion to read: "but excludes all retailing stores (e.g. Retail Store, Convenience Store, Cannabis Sales Store, Liquor Store) and Personal Service Establishments."
- (b) "Store, Retail" is amended by adding the following exclusion at the end of the definition: "but does not include Cannabis Sales Store or Liquor Store."

(3) By adding the following after Subsection (4) to **PART 4 – GENERAL REGULATIONS Section 11. PERMITTED USES:**

(5) Notwithstanding any other provision in this bylaw, the retail sale of Cannabis is prohibited in all zones and public road ways, unless the location is specifically rezoned to allow a Cannabis Sales Store.

(6) Notwithstanding any other provision in this bylaw, Cannabis Lounges, and similar facilities are prohibited in all zones unless the location is specifically rezoned to allow such uses.

(7) Notwithstanding any other provision in this bylaw, the growing or production of marijuana, cannabis and similar plants, products or derivatives is prohibited, except:

(a) as a farm use on lands in the Agricultural Land Reserve, subject however to such production being in a building that is:

(i) Setback a minimum of 25 metres from all property lines; and

(ii) located more than 150 metres from schools, day cares, parks, playgrounds, club houses, convenience stores, or other public places frequented mainly by persons under 18 years of age;

(b) on land specifically rezoned to permit a Health Canada licensed Medical Marihuana Production Facility use;

(c) as an Accessory Use under the authority of a Health Canada issued personal use licence, subject however to such production being in a building that is:

(i) located in the Rear Yard and Setback a minimum of 5 metres from all property lines; and

(ii) located more than 250 metres from schools, day cares, parks, playgrounds, convenience stores, or other public places frequented mainly by persons under 18 years of age;

(d) under the authority of one or more Health Canada issued designated producer licence(s), subject however to such production operating with a valid and current Business License issued by the Township and being in a building that is:

(i) Setback a minimum of 10 metres from all property lines;

(ii) located more than 50m from any building that contains a residential Use; and

(iii) located more than 250 metres from schools, day cares, parks, playgrounds, convenience stores, or other public places frequented mainly by persons under 18 years of age.

(4) By adding the word “liquor” before the word “lounge” to **PART 5 – ZONING DISTRICTS Section 60 (1) (e)**

(5) By adding the word “liquor” before the word “lounge” to **PART 5 – ZONING DISTRICTS Section 67.71 (1) (a)**

READ a first time by the Municipal Council on the ---- day of -----, 2018.

READ a second time by the Municipal Council on the ---- day of -----, 2018.

A Public Hearing was held pursuant to the *Local Government Act* on the ---- day of -----, 2018.

READ a third time by the Municipal Council on the ---- day of -----, 2018.

ADOPTED by the Municipal Council on the ---- day of -----, 2018.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER

The Corporation of the Municipality of Leamington

By-law 35-18

Being a by-law to regulate certain
matters related to cannabis

Whereas, Section 128(1) of the Municipal Act, 2001, R.S.O. 2001, c. 25 (herein the "Act") provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances.

And Whereas the legislation and regulations permitting the production, sale and consumption of Medical Cannabis and Non-Medical Cannabis do not regulate certain matters of public interest in relation to health, safety, morality, comfort or convenience.

And Whereas without proper regulation the activities regulated by this By-Law, especially in the absence of sufficient regulation or enforcement by another level of government, could become or cause public nuisances.

Now Therefore by its Council The Municipality of Leamington Hereby Enacts as Follows:

Interpretation

1. In this By-Law:

- (a) "Cannabis" shall have the same meaning as cannabis as defined in the Cannabis Act (Canada).
- (b) "Cannabis Facility" means an indoor Premises on which Cannabis, Cannabis seed or Cannabis oil is grown, processed, extracted, packaged or otherwise made ready for sale, tested, destroyed, stored and/or shipped in accordance with the provisions of a licence issued by Health Canada, as may be amended from time to time, but shall not mean a Cannabis retail outlet operated by the Province of Ontario, Cannabis Lounge or Cannabis Retailer, and does not include any Property which is not licensed by Health Canada and on which Cannabis is grown exclusively for legal use by the registered owner of the Property.
- (c) "Cannabis Lounge" means a structure, which is not a residence, in which Cannabis Products, legally possessed by one or more persons, are consumed.
- (d) "Cannabis Products" means any product for which Cannabis is one of the principal ingredients, including Cannabis Derivatives.

- (e) "Cannabis Related Activity" means growing, processing, extracting, packaging or otherwise making ready for sale, testing, destroying, storing, shipping, permitting consumption or sale of Cannabis or Cannabis Products.
- (f) "Cannabis Retailer" means a premises from which Cannabis or Cannabis Products are sold to the general public on a retail basis and is authorized by law, but does not include a Cannabis retail outlet operated by the Province of Ontario.
- (g) "Council" means the Council of the Municipality.
- (h) "Medical Cannabis" means Cannabis for which a prescription has been issued by a medical practitioner in accordance with the Health Canada regulations for Medical Cannabis;
- (i) "Municipality" means The Corporation of the Municipality of Leamington.
- (j) "Non-Medical Cannabis" means Cannabis or Cannabis Products for which a prescription has not been issued by a medical practitioner in accordance with the Health Canada regulations for Medical Cannabis;
- (k) "Noxious Odour" means an odour of Cannabis or from Cannabis Related Activities emanating from a Premises that is persistent or continuous and is likely to interfere with the ordinary enjoyment of other property in the vicinity of the Premises;
- (l) "Odour Abatement Protocol" means the combination of methods, practices, equipment and technologies designed for the purpose of eliminating the emission and emanation of Noxious Odours from the Premises to any other property;
- (m) "Part I Cannabis Facility" means a Cannabis Facility for which the Municipality has received notice as a term of the application to Health Canada;
- (n) **Part II Cannabis Facility" means a Cannabis Facility that is not a Part I Cannabis Facility including a designated grower, a micro-cultivator, a micro-processor or a premises on which Cannabis is grown for or on behalf of one or more other persons than the registered owner of the premises;**
- (o) "Premises" means a Cannabis Facility, Cannabis Lounge or Cannabis Retailer.
- (p) "Process" means the operation whereby harvested Cannabis, is transformed by the application of manual, mechanical or chemical methods into another form, but does not include the application or use of a dangerous substance or method;

- (q) "Sensitive Use" means a grade school, secondary school, day care, playground, sporting venue or any other place which has as its primary purpose of being a place where persons under the age of 18 years comprise the majority of persons present or intended to be present, a residential use within a Zone, a place of worship, or a community center.
- (r) "Zone" means an area delineated on a zoning map schedule and established and designated by the Comprehensive Zoning By-law 890-09 for a specific use or group of uses.

Prohibitions

- 2. (a) No person shall operate a Cannabis Lounge, Cannabis Retailer or Cannabis Facility except in accordance with the provisions of this By-Law.
- (b) No person shall operate a Cannabis Facility where Cannabis is grown outdoors.
- (c) No person shall Process Cannabis using substances dangers or noxious to the public.

License

- 3. The owner, occupier and/or operator of a Cannabis Lounge, Cannabis Retailer or Cannabis Facility shall produce for inspection any license or other form of authorization which permits the Cannabis Related Activity on the Premises.

Cannabis Lounge or Cannabis Retailer

- 4. A Cannabis Lounge or a Cannabis Retailer shall not:
 - (a) operate except in accordance with the terms of its license or other form of authorization;
 - (b) operate unless it is the holder of a valid business license as issued by the Municipality under its Business Licensing By-Law;
 - (c) be closer than two hundred (200) metres from the property line of the nearest Sensitive Use;
 - (d) be in any Zone that is not designated for commercial use;
 - (e) permit the sale of Cannabis or Cannabis Products on the Premises, unless authorized by law;
 - (f) permit the consumption of Cannabis or Cannabis Products on the exterior of the Premises;

- (g) permit the sale to or the consumption of Cannabis or Cannabis Products on the Premises by a person not legally entitled to purchase or consume Cannabis or Cannabis Products; and
- (h) operate without an Odour Abatement Protocol sufficient to eliminate any Noxious Odour migrating off its Premises.

Part I Cannabis Facility

5. A Part I Cannabis Facility shall:

- (a) operate in accordance with its license from Health Canada, and any other requirements of the Province of Ontario and any other competent authority;
- (b) operate indoors;
- (c) operate only in a Zone designated for agricultural use, where a greenhouse, but not a hobby greenhouse, is permitted;
- (d) operate with an Odour Abatement Protocol to eliminate the migration of any Noxious Odour off its Premises; and
- (e) be limited to the production, processing and packaging of Cannabis on behalf of the holder of the license for the Premises on which the Cannabis Facility is located and one other person.

Part II Cannabis Facility

6. **A Part II Cannabis Facility shall:**

- (a) operate in accordance with its licence from Health Canada, and any other requirements of the Province of Ontario and any other competent authority;
- (b) operate indoors;
- (c) operate in a Zone designated for industrial use;
- (d) obtain a business licence pursuant to the provisions of the Municipality's Business Licensing By-law 03-18;
- (e) obtain, prior to commencing operation, a Change of Use Permit, issued pursuant to section 10 of the Building Code Act, 1992, S.O. 1992, c.23;
- (f) obtain, prior to commencing operation, Site Plan Approval and enter into a Site Plan Agreement pursuant to section 41 of the Planning Act, R.S.O. 1990, c. P.13;

- (g) operate with an Odour Abatement Protocol to eliminate the migration of any Noxious Odour off its Premises and provide satisfactory proof thereof to the Municipality;
- (h) operate more than two hundred (200) metres from the property line of the nearest Sensitive Use;
- (i) be limited to the production, processing and packaging of Cannabis on behalf of the registered owner of the Premises and one other person; and
- (j) be inspected by the Municipality's Fire Department and comply with the provisions of the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4.

Severability

7. If a Court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-law and it is hereby declared that the remainder of the By-law shall be remain in force.

Penalty

8. Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is subject to a fine pursuant to the Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended from time to time.

Continuing Offence

9. Each calendar day a violation of Section 2 continues is deemed to be a separate offence.

Enforcement

10. In addition to any other penalty or remedy available to the Municipality, the Council may, on behalf of the Municipality with the consent of the local detachment commander of the Ontario Provincial Police and with notice to the Attorney-General of Ontario, apply to the Superior Court of Justice for an order requiring all or part of a Premises be closed for a period not exceeding two (2) years if it be proved on a balance of probabilities that:
- (a) activities or circumstances on or in the Premises constitute a public nuisance or cause or contribute to activities or circumstances constituting a public nuisance in the vicinity of the Premises;
 - (b) the public nuisance has a detrimental impact on the use and enjoyment of property in the vicinity of the Premises;

- (c) the owner or occupants of the Premises or part of the Premises knew or ought to have known that the activities or circumstances constituting the public nuisance were taking place or existed and did not take adequate steps to eliminate the public nuisance; or
- (d) a conviction for a contravention of this By-law by a court of competent jurisdiction of a public nuisance in respect to the Premises has been entered, and the conviction is not currently under appeal.

Powers of Entry

- 11. Pursuant to section 436 of the Act and in addition to any other powers of entry granted to the Municipality, the Municipality, by its employees or agents, may enter on the Premises at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - (a) this By-law or any other by-law passed by the municipality;
 - (b) any direction or order of the Municipality made under the Act or this By-law;
 - (c) a condition of a licence issued by the Municipality; or
 - (d) an order to discontinue or remedy a contravention of this By-law for which a conviction has been entered by a court of competent jurisdiction.

Powers of Inspection

- 12. The municipality may do any of the following for the purposes of an inspection under Section 11:
 - (a) require the production for inspection of documents or things relevant to the enforcement of this By-law;
 - (b) inspect and remove documents or things relevant to the enforcement of this by-law for the purpose of making copies or extracts;
 - (c) require information from any person concerning a matter relevant to the enforcement of this By-law; and
 - (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, sample or photographs necessary for the purposes of the inspection.

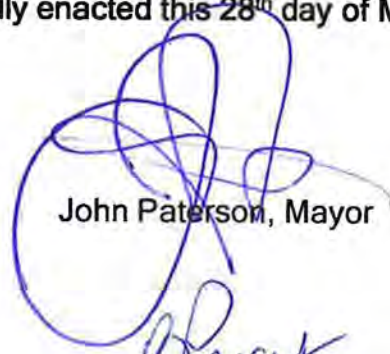
Short Title

- 13. This By-law may be referred to as the Cannabis Regulation By-law, 2018.

Effective Date

14. This By-law will take effect and come into effect upon its enactment.

Read a first, second and third time and finally enacted this 28th day of May, 2018.



John Paterson, Mayor



Brenda M. Percy, Clerk



The Corporation of Norfolk County

By-Law 25-Z-2018

Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for all lands within Norfolk County.

WHEREAS Norfolk Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 of the *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended;

AND WHEREAS this By-Law conforms to the Norfolk County Official Plan.

NOW THEREFORE the Council of The Corporation of Norfolk County hereby enacts as follows:

1. That Section 2 – Definitions is hereby amended by adding the following, Subsection 2.28 “CANNABIS” and renumbering the balance of the Section accordingly:

2.28 “**CANNABIS**” shall mean a genus of flowering plants in the family *Cannabaceae*. Synonyms include but are not limited to marijuana, and marihuana. This definition does not include the industrial or agricultural production of hemp (a source of foodstuffs (hemp milk, hemp seed, hemp oil), fiber and biofuels).

2. That Section 2 – Definitions is hereby amended by adding the following and renumbering the balance of the Section accordingly:

2.29 “**CANNABIS PRODUCTION AND PROCESSING**” means lands, *buildings or structures* used for producing, processing, testing, destroying, packaging and/or shipping of *cannabis* authorized by an issued license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the *Controlled Drugs and Substances Act, SC 1996, c 19*, as amended from time to time, or any successors thereto.”

3. That Section 2 – Definitions is hereby further amended by adding the following to the end of existing Subsection 2.53 “FARM”:

, but does not include *Cannabis Production and Processing*.

4. That Section 2 – Definitions is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in the existing Subsection 2.67 “GARDEN CENTRE”

5. That Section 2 – Definitions is here by amended by deleting the existing Subsection 2.91 “Medical Marihuana Production Facility” and renumbering the balance of the Section accordingly:
6. That Section 2 – Definitions is hereby amended by adding the following, Subsection 2.98 “AIR TREATMENT CONTROL” and renumbering the balance of the Section accordingly:

2.98 “**AIR TREATMENT CONTROL**” shall mean the functional use of industrial grade multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person.

7. That Section 2 – Definitions is hereby amended by replacing the words “Medical Marihuana Production Facility” with “Cannabis Production and Processing” in the existing Subsection 2.170 “WHOLESALE OUTLET”
8. That Section 3 – General Provisions is hereby amended by deleting Subsection 3.21 “Medical Marihuana Production Facility” and replacing with the following:

3.21 Cannabis Production and Processing

Notwithstanding any other provision of this By-law, any Cannabis Production and Processing shall be subject to the following provisions:

- a) No ***lands, building or structure or portion thereof used for Cannabis Production and Processing*** purposes that is equipped with ***air treatment control*** situated in the General Industrial Zone (MG), Light Industrial Zone (ML), Rural Industrial Zone (MR) may be located closer to any Residential Zone, Institutional Zone, or Open Space Zone than 70 metres.
- b) No ***lands, building or structure or portion thereof used for Cannabis Production and Processing*** purposes that is equipped with ***air treatment control*** situated in the Agricultural Zone (A) may be located closer to any Residential Zone, Institutional Zone, or Open Space Zone than 150 metres.
- c) No ***lands, building or structure or portion thereof used for Cannabis Production and Processing*** purposes that is equipped with ***air treatment control*** situated in the General Industrial Zone (MG), Light Industrial Zone (ML), Rural Industrial Zone (MR) may be located closer to any ***dwelling, public school, private school, place of worship, or day care nursery*** than 150 metres.
- d) No ***lands, building or structure or portion thereof used for Cannabis Production and Processing*** purposes that is equipped with ***air treatment control*** situated in

- the Agricultural Zone (A) may be located closer to any *dwelling*, public school, private school, *place of worship*, or *day care nursery* than 150 metres.
- e) No lands, *building* or *structure* or portion thereof used for *Cannabis Production and Processing* purposes that is not equipped with *air treatment control* situated in the Agricultural Zone (A), General Industrial Zone (MG), Light Industrial Zone (ML), Rural Industrial Zone (MR) may be located closer to any *dwelling*, public school, private school, *place of worship*, or *day care nursery* than 300 metres.
 - f) A *building* or *structure* used for security purposes for *Cannabis Production and Processing* may be located in the *required front yard* and does not have to comply with the required minimum *front yard*, *side yard*, and *rear yard* setbacks.
 - g) *Outdoor storage* is prohibited on the property in which the *Cannabis Production and Processing* is located.
 - h) *Cannabis Production and Processing* shall only be permitted within the zones as explicitly indicated in this Zoning By-law.
 - i) All development in relation to the establishment of or expansion to a *Cannabis Production and Processing* shall be subject to Site Plan Control.
9. That Section 3.8.1 – Site Plan Control is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*”.
10. That Section 4 – Off Street Parking Provisions is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 4.9 (y).
11. That Section 7.1 – General Industrial Zone is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 7.1.1 (o) “Permitted Uses”.
12. That Section 7.2 – Light Industrial Zone is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 7.2.1 (o) “Permitted Uses”.
13. That Section 7.5 – Rural Industrial Zone is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 7.5.1 (z) “Permitted Uses”.

14. That Section 12.1 – Agricultural Zone is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 12.1.1 (m) “Permitted Uses”.
15. That Section 14 – Special Provisions is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 14.647.
16. That Section 14 – Special Provisions is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 14.856.
17. That Section 14 – Special Provisions is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 14.902.

ENACTED AND PASSED this 27th day of March, 2018.

Mayor

County Clerk

**Explanation of the Purpose and Effect of
By-Law 25-Z-2018**

This By-Law affects lands located throughout Norfolk County, with the purposes of addressing matters identified through application of the By-Law, providing streamlining improvements and clearer interpretation of provisions in regards to cannabis production and processing.



















DISTRICT OF SECHELT

Bylaw No. 25-288-2, 2019 (Cannabis)

A bylaw to amend District of Sechelt Zoning Bylaw No. 25, 1987 regarding Cannabis Cultivation, Production and Retail Sales.

WHEREAS Council of the District of Sechelt has indicated it wishes to consider an amendment to District of Sechelt Zoning Bylaw No. 25, 1987;

AND WHEREAS the proposed amendment is consistent with the Official Community Plan Bylaw 492, 2010;

NOW THEREFORE the Council of the District of Sechelt in open meeting assembled enacts as follows:

1. Title

This bylaw may be cited as the “District of Sechelt Zoning Bylaw No. 25, 1987, Amendment Bylaw No. 25-288-2, 2019 (Cannabis)”.

2. Amendments

Deleted Definitions

- 2.1 District of Sechelt Zoning Bylaw No. 25, 1987 is amended by ***deleting*** the following definitions from *Section 102. Definitions*:

“CANNABIS” means a cannabis plant as defined in the Federal Government’s *Cannabis Act*, as amended from time to time.

“HORTICULTURE” means the growing of flowers, fruits, vegetables, plants, shrubs and trees, indoors or outdoors, for personal enjoyment and consumption, and includes “Personal Non-Medical Marihuana” but excludes Non-Medical Marihuana cultivation, processing, production, distribution, research, and retail sale; and Medical Marihuana cultivation, processing, production, distribution, research, and retail sale.

“MEDICAL MARIHUANA” means cannabis, pursuant to the federal Access to Cannabis for Medical Purposes Regulations, as amended from time to time, but does not include “Personal Non-Medical Marihuana” or “Non-Medical Marihuana”.

“NON-MEDICAL MARIHUANA” means cannabis that is for-profit, commercial purposes or is used for non-profit personal use cannabis of more than one household, but does not include “Personal Cannabis” or “Medical Marihuana”.

“NON-MEDICAL MARIHUANA CULTIVATION” means the use of land, buildings or structures, licenced under federal regulations for the commercial growing, with accessory drying, packaging, or storage of “Non-Medical Marihuana” but does not include the retail sale of “Non-Medical Marihuana”.

“NON-MEDICAL AND MEDICAL MARIHUANA CONSUMPTION LOUNGE” means an establishment where “Cannabis” products of any type are consumed.

“NON-MEDICAL MARIHUANA PRODUCTION” means the use of land, buildings or structures, licenced under federal regulations, for the growing, drying, processing, processing into derivative products, packaging, storage, or distribution of “Non-Medical Marihuana” but does not include “Non-Medical Marihuana Retail” uses.

“NON-MEDICAL MARIHUANA RETAIL” means the use of land, buildings or structures, licenced under provincial regulations, for the retail sale of Cannabis products.

“NON-MEDICAL MARIHUANA RESEARCH” means the use of land, buildings or structures for the systematic research, testing, data collection and manipulation, or technical or scientific development of “Cannabis”, and may include a research laboratory.

“PERSONAL NON-MEDICAL MARIHUANA” means the use of land, buildings or structures on a lot, for the cultivation of no more than 4 cannabis plants per dwelling situated on the same lot, for consumption by the dwelling’s residents, and no other persons.

New Definitions

- 2.2 District of Sechelt Zoning Bylaw No. 25, 1987 is amended by **adding** and **replacing** the following definitions in appropriate alphabetical order to *Section 102. Definitions:*

“CANNABIS” means cannabis as defined in the *Cannabis Act* of Canada.

“CANNABIS, CULTIVATION” means the authorized large-scale growing of cannabis plants and harvesting material from those plants as well as those ancillary activities authorized under the *Cannabis Act* of Canada.

“CANNABIS, MICRO CULTIVATION” means the authorized small-scale growing of cannabis plants and harvesting material from those plants, as well as those ancillary activities authorized under the *Cannabis Act* of Canada.

“CANNABIS PRODUCTION” means the large-scale manufacturing of cannabis or cannabis products as permitted by the *Cannabis Act* of Canada. For clarity, this definition includes a facility used for the cultivation, processing, packaging, storage, distribution, or analytical testing and research of cannabis and cannabis products, but does not include the retail sale of cannabis.

“CANNABIS, MICRO-PRODUCTION” means the small-scale manufacturing of cannabis or cannabis products as permitted by the *Cannabis Act* of Canada. For clarity, this definition includes a facility used for the cultivation, processing, packaging, storage, distribution, or analytical testing and research of cannabis and cannabis products, but does not include the retail sale of cannabis.

“CANNABIS RETAIL STORE” means a retail establishment that is licensed by the Liquor and Cannabis Regulation Branch (LCRB) of British Columbia for the sale of cannabis for non-medical purposes.

“HORTICULTURE” means the growing of flowers, fruits, vegetables, plants, shrubs and trees, indoors or outdoors, for personal enjoyment and consumption, and includes Personal Cannabis use (four plants or less), but excludes all other cannabis-related plants and products, including, but not limited to, Cannabis Cultivation and Cannabis Micro Cultivation, Cannabis Production, Cannabis Micro-Production and Cannabis Retail Stores.

“PERSONAL CANNABIS” means the use of land, buildings or structures on a lot, for the cultivation of no more than 4 cannabis plants per dwelling situated on the same lot, for consumption by the dwelling’s residents, and no other persons.

PART THREE-GENERAL PROVISIONS

- 2.3 District of Sechelt Zoning Bylaw No. 25, 1987 PART THREE- GENERAL PROVISIONS is amended by adding the following new Section 303(1)(h) to *Section 303 Uses Permitted in All Zones*:

303(1)(h) Personal Cannabis

- 2.4 District of Sechelt Zoning Bylaw No. 25, 1987 PART THREE- GENERAL PROVISIONS is amended by adding the following *Section 326. Uses Prohibited in Residential Zones* as follows:

“326: Uses Prohibited in All Residential Zones

1. With the exception of the Personal Cannabis use, no person shall use residential premises for the cultivation or production of cannabis, except a person who is authorized to do so under Part 14 of the Cannabis Regulations under the *Cannabis Act*. Those persons authorized under the Cannabis Regulations and *Cannabis Act* may not cultivate or produce cannabis in a multi-unit development or in any structure that does not have a District of Sechelt Building Permit for a Cannabis Production facility.”
- 2.5 District of Sechelt Zoning Bylaw No. 25, 1987 PART THREE- GENERAL PROVISIONS is amended by adding the following *Section 327. Cannabis Specific Uses Regulations* as follows:

327. CANNABIS SPECIFIC USE REGULATIONS

327.1 CANNABIS RETAIL STORES

Cannabis Retail establishments are permitted in select C-2-Commercial zones which are also designated in the Official Community Plan as either *Downtown Centre* (in schedule C1 of the OCP) or *Regional Commercial* (in Schedule C3 of the OCP)

- (a) No primary public entry to a cannabis retail store shall be located within 150 m of a parcel boundary of a public elementary or secondary school, including
 - i. Chatelech Secondary School located at 5904 Cowrie Street;
 - ii. Kinnikinnick Elementary School located 6030 Lighthouse Avenue;
 - iii. West Sechelt Elementary School located at 5609 Mason Road;
 - iv. Davis Bay Elementary School located at 5078 Davis Bay Road.
- (b) Notwithstanding 327.1(a), no primary public entry to a cannabis retail store shall be located within 50 m of a parcel boundary of the Sunshine Coast Alternative School located on 5545-5549 Inlet Road; AND
- (c) All facilities must have an odour control system so that any odour associated with the cannabis use cannot be detected beyond the property line of the lot on which the cannabis retail establishment is located.”

327.2 CANNABIS PRODUCTION AND CULTIVATION-INDUSTRIAL AREAS

Cannabis Production and Cultivation facilities are permitted in designated Industrial zones and are subject to the following conditions:

- (a) All production activities must occur within an enclosed facility;
- (b) No outdoor cultivation, production or storage is permitted;
- (c) No building or structure is located within 50 m of any lot line abutting a residential area zoned R-1, R-1A, R-1B, R-2, R-3, R-4, R-4A, R-4B, R-5, R-7, C-2, C-5, C-5A, or any Comprehensive Development Zone;
- (d) No facility may be located within 300 m of an elementary or secondary school;
- (e) The minimum lot area for a standard production facility is 3,000 m²; AND,
- (f) All facilities must have an odour control system so that any odour associated with the cannabis use cannot be detected beyond the property line of the lot on which the cannabis production facility is located.

327.3. CANNABIS, MICRO-PRODUCTION AND MICRO-CULTIVATION-INDUSTRIAL AREAS

Cannabis Micro-Production and Micro-Cultivation is permitted in designated Industrial zones subject to the following conditions:

- (a) All production activities must occur within an enclosed facility;
- (b) No outdoor cultivation, production or storage is permitted;
- (c) No building or structure is located within 50 m of any lot line abutting a residential area zoned R-1, R-1A, R-1B, R-2, R-3, R-4, R-4A, R-4B, R-5, R-7, C-2, C-5, C-5A, or any Comprehensive Development Zone;
- (d) No facility may be located within 300 m of an elementary or secondary school;
- (e) The minimum lot area for a micro-production facility is 3,000 m²; AND,
- (f) All facilities must have an odour control system so that any odour associated with the cannabis use cannot be detected beyond the property line of the lot on which the cannabis production facility is located.

327.4 CANNABIS CULTIVATION-AGRICULTURAL AREAS

Cannabis uses on agricultural lands are limited to the **RR-2 zone** and are limited to authorized standard cultivation, and nursery licensed operations only and are subject to the following conditions:

- (a) The use must comply with the provincial *Agricultural Land Reserve Use Regulation* (**BC Reg 30/2019**) as amended from time to time.
- (b) The cannabis cultivation use is entirely within the BC Agriculture Land Reserve;
- (c) A maximum of **1** Health Canada Cannabis Cultivation Licence (of any type) is permitted on a lot.

- (d) The maximum combined gross floor area of all the building(s) associated with a Health Canada Cannabis Standard Cultivation Licence is 1,000 m².
- (e) No building or structure is located within 100 m of any lot line;
- (g) No security fencing greater than 1.2 m in height is located within 30 m of any lot line;
- (h) Cannabis cultivation is prohibited in a structure with a base consisting, in part or entirely, of any material that is not soil;
- (i) No building height exceeds 10.5 m; AND
- (j) Except for driveways, the perimeter of the lot is continuously landscaped with a buffer of non-invasive trees and shrubs 2 m, or more, in width and 1.5 m, or more in height.

327.5 CANNABIS, MICRO CULTIVATION- AGRICULTURAL AREAS

Cannabis Micro-Cultivation is limited to the RR-2 zone and are limited to authorized micro cultivation and nursery licenced operations only, and are subject to the following conditions:

- (a) The use must comply with the provincial *Agricultural Land Reserve Use Regulation* (BC Reg 30/2019) as amended from time to time.
- (b) The cannabis micro-cultivation use is entirely within the BC Agriculture Land Reserve;
- (c) A maximum of 1 Health Canada Cannabis Cultivation Licence (of any type) is allowed on a lot.
- (d) The maximum combined gross floor area of the building(s) associated with a Health Canada Cannabis Micro-Cultivation Licence on a lot is 500 m².
- (e) No building or structure is located within 100 m of any lot line;
- (f) No security fencing greater than 1.2 m in height is located within 30 m of any lot line;
- (g) Cannabis Micro-Cultivation is prohibited in a structure with a base consisting, in part or entirely, of any material that is not soil;
- (h) No building height exceeds 10.5 m; AND
- (i) Except for driveways, the perimeter of the lot is continuously landscaped with a buffer of non-invasive trees and shrubs 3 m, or more, in width and 1.5 m, or more in height."

PART NINE –RURAL ZONES

Zone RR-2, Rural 2

- 2.6 District of Sechelt Zoning Bylaw No. 25, 1987 - Zone RR-2, Rural 2 Zone - is amended by **deleting** the paragraphs (m) and (n) to *Section 910 Permitted Uses*, as follows:

“(m) “Medical Marihuana Cultivation” is permitted on a lot provided that:

- i. The lot is entirely within the BC Agriculture Land Reserve;
- ii. The lot is 5.0 hectares or more in area;
- iii. No school is located within one thousand (1,000) metres of the lot;
- iv. No “Developed Park” is located within five hundred (500) metres of the lot;
- v. No neighboring property, that is zoned R-1, R-1A, R-1B, R-2, R-3, R-4, R-4A, R-4B, R-5, R-7, C-2, C-5, C-5A, or any predominantly residential Comprehensive Development Zone, is located within one hundred (100) metres of the lot;
- vi. No building or structure is located within fifty (50) metres of any lot line;
- vii. No security fencing greater than 1.2 metres in height is located within thirty (30) metres of any lot line;
- viii. The combined gross footprint of all buildings and structures does not exceed one thousand (1,000) square metres on the lot;
- ix. No building height exceeds two storeys or ten point five (10.5) metres; AND,
- x. Except for driveways, the perimeter of the lot is continuously landscaped with a buffer of non-invasive trees and shrubs two (2) metres, or more, in width and one point five (1.5) metres, or more in height.

“(n) Non-Medical Marihuana Cultivation” is permitted on a lot provided that:

- i. The lot is entirely within the BC Agriculture Land Reserve;
- ii. The lot is 5.0 hectares or more in area;
- iii. No school is located within one thousand (1,000) metres of the lot;
- iv. No “Developed Park” is located within five hundred (500) metres of the lot;

- v. No neighboring property, that is zoned R-1, R-1A, R-1B, R-2, R-3, R-4, R-4A, R-4B, R-5, R-7, C-2, C-5, C-5A, or any predominantly residential Comprehensive Development Zone, is located within one hundred (100) metres of the lot;
- vi. No building or structure is located within fifty (50) metres of any lot line;
- vii. No security fencing greater than 1.2 metres in height is located within thirty (30) metres of any lot line;
- viii. The combined gross footprint of all buildings and structures does not exceed one thousand (1,000) square metres on the lot;
- ix. No building height exceeds two storeys or ten point five (10.5) metres; AND,
- x. Except for driveways, the perimeter of the lot is continuously landscaped with a buffer of non-invasive trees and shrubs two (2) metres, or more, in width and one point five (1.5) metres, or more in height."

- 2.7 District of Sechelt Zoning Bylaw No. 25, 1987 - Zone RR-2, Rural 2 Zone - is amended by adding paragraphs (m) and (n) to *Section 910 Permitted Uses*, as follows:

- "(m) Cannabis Cultivation (*subject to S. 327*)
- (n) Cannabis, Micro Cultivation (*subject to S. 327*)"

PART SEVEN- INDUSTRIAL ZONES

Zone I-3 Industrial 3

- 2.8 District of Sechelt Zoning Bylaw No. 25, 1987 – Zone I-3 Industrial 3 - is amended by **deleting** the following paragraphs p) and q) to *Section 718 Permitted Uses*, as follows:

"(p) "Medical Marihuana Production" and/or "Medical Marihuana Research" are permitted on a lot provided that:

- i. The lot is four thousand (4,000) square metres or more in area;
- ii. No school is located within one thousand (1,000) metres of the lot;
- iii. No "Developed Park" is located within five hundred (500) metres of the lot;
- iv. No neighboring property, that is zoned R-1, R-1A, R-1B, R-2, R-3, R-4, R-4A, R-4B, R-5, R-7, C-2, C-5, C-5A, or any predominantly residential Comprehensive Development Zone, is located within one hundred

- (100) metres of the lot;
- v. No building or structure is located within five (5) metres of any rear or side lot lines;
- vi. No security fencing greater than 1.2 metres in height is located within two (2) metres of any lot line;
- vii. Buildings and structures shall not cover more than fifty percent (50%) of the lot area;
- viii. No building height exceeds two storeys or ten point five (10.5) metres;
- ix. Except for driveways, the perimeter of the lot is continuously landscaped with a buffer of non-invasive trees and shrubs one point five (1.5) metres or more in height; AND,
- x. “Medical Marihuana Production” and/or “Medical Marihuana Research” are the only uses on the lot.

“q) “Non-Medical Marihuana Production” and/or “Non-Medical Marihuana Research” are permitted on a lot provided that:

- i. The lot is four thousand (4,000) square metres or more in area;
- ii. No school is located within one thousand (1,000) metres of the lot;
- iii. No “Developed Park” is located within five hundred (500) metres of the lot;
- iv. No neighboring property, that is zoned R-1, R-1A, R-1B, R-2, R-3, R-4, R-4A, R-4B, R-5, R-7, C-2, C-5, C-5A, or any predominantly residential Comprehensive Development Zone, is located within one hundred (100) metres of the lot;
- v. No building or structure is located within five (5) metres of any rear or side lot lines;
- vi. No security fencing greater than 1.2 metres in height is located within two (2) metres of any lot line;
- vii. Buildings and structures shall not cover more than fifty percent (50%) of the lot area;
- viii. No building height exceeds two storeys or ten point five (10.5) metres;
- ix. Except for driveways, the perimeter of the lot is continuously landscaped with a buffer of non-invasive trees and shrubs one point five (1.5) metres or more in height; AND,

- x. “Non-Medical Marihuana Production” and/or “Non-Medical Marihuana Research” are the only uses on the lot.”

2.9 District of Sechelt Zoning Bylaw No. 25, 1987 – Zone I-3 Industrial 3 - is amended by **adding** the following paragraphs (p), (q), (r) and (s) to *Section 718 Permitted Uses*, as follows:

- “(p) Cannabis Production (*subject to S. 327*)
- (q) Cannabis, Micro Production (*subject to S. 327*)
- (r) Cannabis Cultivation (*subject to S. 327*)
- (s) Cannabis, Micro Cultivation (*subject to S. 327*)”

Zone I-5 Industrial 5

2.10 District of Sechelt Zoning Bylaw No. 25, 1987 – Zone I-5 Industrial 5 - is amended by **deleting** the following paragraphs (s) and (t) to *Section 734 Permitted Uses*, as follows:

“(s) “Medical Marihuana Production” and/or “Medical Marihuana Research” are permitted on a lot provided that:

- i. The lot is four thousand (4,000) square metres or more in area;
- ii. No school is located within one thousand (1,000) metres of the lot;
- iii. No “Developed Park” is located within five hundred (500) metres of the lot;
- iv. No neighboring property, that is zoned R-1, R-1A, R-1B, R-2, R-3, R-4, R-4A, R-4B, R-5, R-7, C-2, C-5, C-5A, or any predominantly residential Comprehensive Development Zone, is located within one hundred (100) metres of the lot;
- v. No building or structure is located within five (5) metres of any rear or side lot lines;
- vi. No fencing is located within two (2) metres of any lot line;
- vii. Buildings and structures shall not cover more than fifty percent (50%) of the lot area;
- viii. No building height exceeds two storeys or ten point five (10.5) metres;
- ix. Except for driveways, the perimeter of the lot is continuously landscaped with a buffer of non-invasive trees and shrubs one point five (1.5) metres or more in height; AND,
- x. “Medical Marihuana Production” and/or “Medical Marihuana Research” are the only uses on the lot.

t) Non-Medical Marihuana Production” and/or “Non-Medical Marihuana Research” are permitted on a lot provided that:

- i. The lot is four thousand (4,000) square metres or more in area;
- ii. No school is located within one thousand (1,000) metres of the lot;
- iii. No “Developed Park” is located within five hundred (500) metres of the lot;
- iv. No neighboring property, that is zoned R-1, R-1A, R-1B, R-2, R-3, R-4, R-4A, R-4B, R-5, R-7, C-2, C-5, C-5A, or any predominantly residential Comprehensive Development Zone, is located within one hundred (100) metres of the lot;
- v. No building or structure is located within five (5) metres of any rear or side lot lines;
- vi. No fencing is located within two (2) metres of any lot line;
- vii. Buildings and structures shall not cover more than fifty percent (50%) of the lot area;
- viii. No building height exceeds two storeys or ten point five (10.5) metres;
- ix. Except for driveways, the perimeter of the lot is continuously landscaped with a buffer of non-invasive trees and shrubs one point five (1.5) metres or more in height; AND,
- x. “Non-Medical Marihuana Production” and/or “Non-Medical Marihuana Research” are the only uses on the lot.”

2.11 District of Sechelt Zoning Bylaw No. 25, 1987 – Zone I-5 Industrial 5 - is amended by **adding** the following paragraphs (s), (t), (u) and (v) to *Section 734 Permitted Uses*, as follows:

- “(s) Cannabis Production (*subject to S. 327*)
- (t) Cannabis, Micro Production (*subject to S.327*)
- (u) Cannabis Cultivation (*subject to S. 327*)
- (v) Cannabis, Micro Cultivation (*subject to S. 327*)”

Zone I-6 Industrial 6

2.12 District of Sechelt Zoning Bylaw No. 25, 1987 – Zone I-6 Industrial 6 - is amended by **deleting** the following paragraphs o) and p) to *Section 742 Permitted Uses*, as follows:

“(o) Medical Marihuana Production” and/or “Medical Marihuana Research” are permitted on a lot provided that:

- i. The lot is four thousand (4,000) square metres or more in area;
- ii. No school is located within one thousand (1,000) metres of the lot;
- iii. No “Developed Park” is located within five hundred (500) metres of the lot;
- iv. No neighboring property, that is zoned R-1, R-1A, R-1B, R-2, R-3, R-4, R-4A, R-4B, R-5, R-7, C-2, C-5, C-5A, or any predominantly residential Comprehensive Development Zone, is located within one hundred (100) metres of the lot;
- v. No building or structure is located within five (5) metres of any rear or side lot lines;
- vi. No fencing is located within two (2) metres of any lot line;
- vii. Buildings and structures shall not cover more than fifty percent (50%) of the lot area;
- viii. No building height exceeds two storeys or ten point five (10.5) metres;
- ix. Except for driveways, the perimeter of the lot is continuously landscaped with a buffer of non-invasive trees and shrubs one point five (1.5) metres or more in height; AND,
- x. “Medical Marihuana Production” and/or “Medical Marihuana Research” are the only uses on the lot.

(p) Non-Medical Marihuana Production” and/or “Non-Medical Marihuana Research” are permitted on a lot provided that:

- i. The lot is four thousand (4,000) square metres or more in area;
- ii. No school is located within one thousand (1,000) metres of the lot;
- iii. No “Developed Park” is located within five hundred (500) metres of the lot;
- iv. No neighboring property, that is zoned R-1, R-1A, R-1B, R-2, R-3, R-4, R-4A, R-4B, R-5, R-7, C-2, C-5, C-5A, or any predominantly residential

Comprehensive Development Zone, is located within one hundred (100) metres of the lot;

- v. No building or structure is located within five (5) metres of any rear or side lot lines;
- vi. No fencing is located within two (2) metres of any lot line;
- vii. Buildings and structures shall not cover more than fifty percent (50%) of the lot area;
- viii. No building height exceeds two storeys or ten point five (10.5) metres;
- ix. Except for driveways, the perimeter of the lot is continuously landscaped with a buffer of non-invasive trees and shrubs one point five (1.5) metres or more in height; AND,
- x. “Non-Medical Marihuana Production” and/or “Non-Medical Marihuana Research” are the only uses on the lot.”

- 2.13 District of Sechelt Zoning Bylaw No. 25, 1987 – Zone I-6 Industrial 6 - is amended by **adding** the following paragraphs (o), (p), (q) and (r) to *Section 742 Permitted Uses*, as follows:

- “(o) Cannabis Production (*subject to S.327*)
- (p) Cannabis, Micro Production (*subject to S. 327*)
- (q) Cannabis Cultivation (*subject to S.327*)
- (r) Cannabis, Micro cultivation (*subject to S. 327*)”

Zone I-7 Industrial 7

- 2.14 District of Sechelt Zoning Bylaw No. 25, 1987 – Zone I-7 Industrial 7 - is amended by **deleting** the following paragraphs (o) and (p) to *Section 751 Permitted Uses*, as follows:

“(o) Medical Marihuana Production” and/or “Medical Marihuana Research” are permitted on a lot provided that:

- i. The lot is four thousand (4,000) square metres or more in area;
- ii. No school is located within one thousand (1,000) metres of the lot;
- iii. No “Developed Park” is located within five hundred (500) metres of the lot;
- iv. No neighboring property, that is zoned R-1, R-1A, R-1B, R-2, R-3, R-4, R-4A, R-4B, R-5, R-7, C-2, C-5, C-5A, or any predominantly residential Comprehensive Development Zone, is located within one hundred (100) metres of the lot;

- v. No building or structure is located within five (5) metres of any rear or side lot lines;
 - vi. No fencing is located within two (2) metres of any lot line;
 - vii. Buildings and structures shall not cover more than fifty percent (50%) of the lot area;
 - viii. No building height exceeds two storeys or ten point five (10.5) metres;
 - ix. Except for driveways, the perimeter of the lot is continuously landscaped with a buffer of non-invasive trees and shrubs one point five (1.5) metres or more in height; AND
 - xi. “Medical Marihuana Production” and/or “Medical Marihuana Research” are the only permitted uses on the lot.
- p) “Non-Medical Marihuana Production” and/or “Non-Medical Marihuana Research” are permitted on a lot provided that:
- i. The lot is four thousand (4,000) square metres or more in area;
 - ii. No school is located within one thousand (1,000) metres of the lot;
 - iii. No “Developed Park” is located within five hundred (500) metres of the lot;
 - iv. No neighboring property, that is zoned R-1, R-1A, R-1B, R-2, R-3, R-4, R-4A, R-4B, R-5, R-7, C-2, C-5, C-5A, or any predominantly residential Comprehensive Development Zone, is located within one hundred (100) metres of the lot;
 - v. No building or structure is located within five (5) metres of any rear or side lot lines;
 - vi. No fencing is located within two (2) metres of any lot line;
 - vii. Buildings and structures shall not cover more than fifty percent (50%) of the lot area;
 - viii. No building height exceeds two storeys or ten point five (10.5) metres;
 - ix. Except for driveways, the perimeter of the lot is continuously landscaped with a buffer of non-invasive trees and shrubs one point five (1.5) metres or more in height; AND
 - x. “Non-Medical Marihuana Production” and/or “Non-Medical Marihuana Research” are the only permitted uses on the lot.”

- 2.15 District of Sechelt Zoning Bylaw No. 25, 1987 – Zone I-7 Industrial 7 – is amended by **adding** the following paragraphs (o), (p), (q) and (r) to *Section 751 Permitted Uses*, as follows:

“(o) Cannabis Production (*subject to S. 327*)
 (p) Cannabis, Micro Production (*subject to S. 327*)
 (q) Cannabis Cultivation (*subject to S. 327*)
 (r) Cannabis, Micro Cultivation (*subject to S. 327*)”

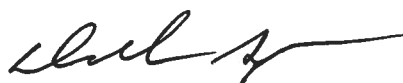
PART SIX – COMMERCIAL ZONES

Zone C-2 Commercial 2 Zone

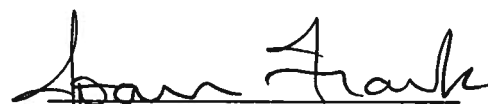
- 2.16 District of Sechelt Zoning Bylaw No. 25, 1987 – Zone C-2 Commercial 2 - is amended by **adding** the following paragraphs (p) to *Section 610 Permitted Uses*, as follows:

“(p) Cannabis Retail Store (*subject to S. 327*)”

READ A FIRST TIME THIS	17 th	DAY OF	April	2019
PUBLIC HEARING HELD THIS	15 th	DAY OF	May	2019
FIRST READING RESCINDED	19 th	DAY OF	June	2019
READ A FIRST TIME THIS	3 rd	DAY OF	July	2019
SECOND PUBLIC HEARING HELD THIS	24 th	DAY OF	July	2019
READ A SECOND TIME THIS	18 th	DAY OF	September	2019
READ A THIRD TIME THIS	18 th	DAY OF	September	2019
ADOPTED THIS	18 th	DAY OF	September	2019



Mayor



Corporate Officer

From: [Marilyn Aasen](#)
To: [Planning Shared](#)
Cc: chokessociety1@gmail.com
Date: February 18, 2020 3:49:04 PM

I am totally against this proposal. Sproat Lake is a beautiful pristine lake. Residents here have been keeping their drinking water clean from day one. Please do not allow this company to destroy our lake. To stop them is for the greater good! Please think long term, don't be a dope! Mr. Daniel P. Aasen

Sent from my iPad

From: [Dan Emerson](#)
To: [Planning Shared](#)
Cc: [Chokes Society](#)
Subject: Bylaw
Date: February 17, 2020 5:05:15 PM

I am writing this to support the passing of bylaw P1399.

The purpose of this bylaw is to impose restrictions on the cultivation of cannabis on agricultural land within the District. The reason for the imposed restrictions is because the District made an error in naively extending medical cannabis cultivation bylaws to recreational cultivation, This is the only mechanism the District appears willing to utilize. The District is clearly not ready to outright prohibit cannabis cultivation as other districts have.

Other errors at senior levels of government have led us, and you as a District, to this state of affairs. The federal government elected to not get involved in cultivation in favour of health issues. The provincial government chose to only define cannabis as a crop and did not address cultivation regulation. Cultivation is passed to the districts, who do not have the tools or authorities to regulate cultivation.

Other than the District's refusal to outright ban cannabis cultivation within the district, the greatest single error was the Agricultural Land Commission defining cannabis as a crop. This will reduce our local food production and result in increased imports and costs. This is a direct impact to the residents of the District.

Please pass bylaw P1399

Dan Emerson
Resident Central Lake Road.

Drew Robertson
9898 Lakeshore Road
Port Alberni, BC
V9Y 8Z3

February 18, 2020

Alberni-Clayoquot Regional District
3008 - 5th Avenue
Port Alberni, BC
V9Y 2E3

Email: planning@acrd.bc.ca

Re: BYLAW NO. P1399, OFFICIAL ZONING TEXT AMENDMENT

Attn: District Board Members

Dear Board Members:

I am writing to voice my concerns about proposed cannabis operations within the ACRD. While some residents believe that the proposed bylaw amendments will effectively dissuade cannabis production with the ACRD, the reality is that amendments do little to address the true concerns of Alberni Valley residents. I have yet to meet a resident who is completely against the cannabis industry, they are simply against suffering the environmental consequences of the industry.

In Section 1.0 I have listed my concerns with cannabis production as currently envisioned within the Alberni Valley, even with the proposed bylaw amendments.

In Section 2.0 I have outlined what I believe is a more thoughtful solution to accommodating the cannabis industry within the ACRD.

1.0 CANNABIS PRODUCTION CONCERNS

- 1.1 Odour. Even the most state-of-the-art indoor cannabis facilities have failed to control odours. If a state-of-the-art company, such as Aurora Cannabis with eight production facilities and operations in 24 countries cannot control odours, it is clear that the proposed facilities in Beaver Creek and Sproat Lake will generate unpleasant odours for nearby residents.

It is important to note that even facilities in windy areas create complaints about odours from neighbours. Port Alberni, with low wind speeds and thermal inversions simply may not be suitable for cannabis production. No one in the ACRD wants to return to the smelly mill town of the 1950s and 1960s.

- 1.2 Water supply. Wild Coast Canna has yet to produce a report indicating the source of irrigation water, including evidence that the operation will not destroy the water supply utilized by the residents along Great Central Lake Road.
- 1.3 Run-off. Run-off will include nutrient runoff (nitrogen and phosphorus) as well as soil erosion. The run-off from the cannabis operation will find its way into nearby creeks, rivers, and lakes. This could destroy salmon habitats, create algae blooms, and make the water within the area's wells and Sproat Lake undrinkable. The residents of Sproat Lake depend on the lake for their drinking water.
Claims by Wild Coast Canna that a closed loop water system will result in zero water usage and zero discharge are not supported by science. As a professional engineer with 34 years of experience in water loops design, I can say with certainty that a closed water loop for cannabis production is not feasible.
- 1.4 Thermal Inversions. The Alberni Valley is known to experience thermal inversions. Cannabis facilities in open areas with high winds still solicit constant complaints about odours. Port Alberni, with thermal inversions and notoriously low winds, will certainly experience far greater odour issues.
- 1.5 Temporary Structures. My interpretation of the amended bylaw is that a cannabis producer could utilize dozens of C-Cans (shipping containers) as a way around the bylaw. This would mean cannabis production sites with potentially dozens of growers. How could the ACRD ever hope to conduct enforcement for environmental infractions (water, effluent, odour, etc.) when there would not be a single entity to engage. This arrangement would create a swirl of individual companies pointing the finger at one another. The cannabis industry, even with single site owners, has proven incapable of addressing environmental concerns. The potential presence of C-Cans is a recipe for disaster.
- 1.6 Loss of property values. Sproat Lake is the jewel of the Alberni Valley. If Sproat Lake is ruined through pollution and cannabis odours, the value of Sproat Lake real estate will plummet, along with the numerous jobs arising from these investments (home construction, maintenance, restaurants, etc.). Declining property values will cause the loss of far more in local investment than the Wild Coast Canna operation could ever contribute.
- 1.7 Loss of Tourism. New tourism businesses are being created to promote the beauty of Sproat Lake and the surrounding region. For example, have you heard of the Big Island Adventure Company and their Turn Left Strategy? If we can preserve the beauty of Sproat Lake, we can build on the success of Tofino and Ucluelet to create a year-round attraction to tourists, with many positive overflow benefits to Port Alberni. Do we want to jeopardize this opportunity for the sake of some minimum wage jobs tending to cannabis crops?
- 1.8 Low Paying Jobs. Cannabis companies across Canada have shown a consistent trend. The higher paying full-time corporate jobs exist in large urban centers, while the minimum wage part-time jobs are the only positions created locally. Wild Coast Canna is no exception, the management team is entirely based outside the Alberni Valley.

2.0 CANNABIS PRODUCTION SOLUTION

As a professional engineer with 34 years of experience, I have a strong knowledge of the challenges faced by the cannabis industry and the residents who live near these facilities. My expertise includes two issues central to cannabis production:

Water Loops Design

- I have designed water loops for the pulp and paper industry (including the Port Alberni paper mill).
- I have been on the forefront of engineering viable water loop processes for recycled paper mills in Canada and the USA.
- I work firsthand with four major oil sands producers employing the latest technologies to manage tailings.
- I am the process lead engineer for a water based, chemical free, coffee decaffeination process.

Site Selection Studies

- I have spent a considerable portion of my career conducting site selection studies for various industries.
- Site selection studies examine zoning, water usage, effluent discharge, air quality emissions, permitting, noise pollution, light pollution, parking, road access, rail access, port access, job creation, market access, risk analysis, and cost analysis.
- My most recent site selection study was issued just this morning for a \$42.0 million Euro facility in northern Germany.
- Other studies have spanned Canada and the USA.

With this expertise in hand, I believe that the inherent flaw within the cannabis industry in British Columbia stems from ignoring the vital importance of site selection. The BC provincial government made an enormous mistake determining that cannabis should be grown on agricultural land. Utilizing agricultural land for cannabis production does not make sense. Cannabis on its own is not a food product.

Cannabis production is better suited to industrial zoning; a position advocated by municipalities around the province. I implore the ACRD Board to remedy the mistake of the provincial government by following the lead of other municipalities, by only allowing cannabis production in the ACRD on designated industrial zoning.

Proper permitting will always be required, but a bylaw requiring cannabis production facilities to be located on industrial zoned land will likely address the vast majority of concerns of the residents speaking against the current applications in Beaver Creek and Sproat Lake.

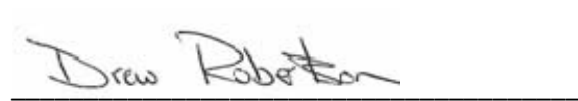
The former industrial sites between town and Bamfield (i.e. Cameron Division, adjacent the Acoustic Woods mill) are far better suited to cannabis production. The location and elevation would likely dilute odours sufficiently to avoid complaints from Alberni Valley residents. Nonetheless, a proper study should be demanded for any applications within the ACRD.

3.0 SUMMARY

The ACRD has been entrusted with the decision-making authority to chart a course that benefits and protects the current residents of the region, our children, and future generations. Please do not make a decision that will destroy our most important asset, the spectacular environment that is the Alberni-Clayoquot Regional District.

Stronger zoning is required, in addition to a stringent permitting process.

Sincerely,

A handwritten signature in dark ink, reading "Drew Robertson", is positioned above a solid horizontal line.

Drew Robertson, P.Eng.

From: [Gar Pig](#)
To: chokessociety1@gmail.com; [Planning Shared](#)
Subject: Cannabis farm proposal
Date: February 13, 2020 12:20:45 PM

1. It is too close to Sproat Lake: - Only one kilometre from the lake
>
>> - Only 500 m from the Sproat Lake Provincial
>> upper campsite
- >> 2. It is too big: - A 377,000 square feet building about as big as Woodgrove Mall
>> - An additional 50 acres outdoor cannabis plantation which is very
>> large. Fact: Cannabis as a 'farm crop' is more detrimental to the
>> environment than all other agricultural crops TOGETHER.
- >> 3. This outdoor plantation will: - Create a foul odour that cannot be contained
>> - Release toxic pollutants impacting air quality
>> - Be sprayed with fertilizers and pesticides
>> - Need an immense amount of water daily
>> - Cause a toxic run-off directly into Sproat Lake
>> and adjacent farms, some of which are organic.
>> - This run-off water cannot be contained.

Gar

From: [Heather Persons](#)
To: [Planning Shared](#)
Subject: support for banning cement-bottomed buildings
Date: February 18, 2020 9:24:37 AM

Dear ACRD board members and staff

This letter is to express support for the proposed bylaw (P1399 scheduled for discussion on Feb. 18, 2020) banning cement bottomed buildings on agricultural land—buildings that would enable industrial cannabis growth.

I suspect that the root of the problem is that cheap farm land is becoming available because farmers are not doing well. Some of them are older and ready to retire, and with people jumping on the cannabis bandwagon, they can probably sell profitably to a cannabis developer or cannabis flipper. As far as I can see farmers have not received help from the local, provincial or federal governments to move into at least some high value crops. The cannabis developer that the ACRD is supporting on Beaver Creek Road could probably make more money growing saffron, which doesn't smell or pollute the air, with artificial light and hydroponics, or even in a greenhouse. Farmers also haven't received help moving into high value agricultural products—try buying dehydrated pear slices—they are expensive. And they haven't received any help using digital technologies that would allow them to reach people who would be willing to pay more for such products. I don't blame the ACRD entirely because they are only one player, but that would have been a better solution than joining the cannabis fad.

In itself, and grown in the right place, cannabis very likely has medical benefits, although the research is not complete. And people who prefer a cannabis cookie over a glass of wine are legally able to make that choice. However, the right place is not the Alberni Valley, which already has poor air circulation and air quality.

I am pretty sure that others have mentioned that cannabis plants produce terpenes. Terpenes are volatile organic compounds that pollute the environment and cause health problems.

<https://doi.org/10.1080/10962247.2019.1654038>

<https://www.tandfonline.com/doi/full/10.1080/10962247.2019.1654038>

“One adult *Cannabis* plant emits hundreds of micrograms of BVOCs per day and thus can trigger the formation of tropospheric ozone (approximately $2.6 \text{ g day}^{-1} \text{ plant}^{-1}$) and other toxic air pollutants.

High concentrations of VOCs emitted from *Cannabis* grow facilities can lead to the formation of ozone, secondary VOCs (e.g., formaldehyde and acrolein), and particulate matter.”

In places like Denver, Colorado—one of the first locations for legal cannabis, research is now indicating that there are problems. <https://www.atmos-chem-phys.net/19/13973/2019/acp-19-13973-2019.pdf>

I also don't think you can guarantee that waste water won't leak into the soil as cannabis operations are heavy users of pesticides, fungicides and miticides. Cannabis developments are better situated in an area where there is a sewage system, not in areas where septic tanks are the norm.

Finally there is the psychological harm to residents that occurs when you put even a small cannabis development right beside a residential area. When they go outside there is a strong and unpleasant odour that destroys their quality of life. Cannabis developments smell and anyone who tells you differently hasn't Googled the topic. The facility that the ACRD has supported in the Beaver Creek area is ringed by housing. There is already someone along the road with a medical license and you can smell the odour when you drive by. I doubt if the ACRD would support an argument that having

ruined the lives of people in the area surrounding that building that you might as well add more. Based on what I have heard and read (and this is not evidence-based as are the articles above) it seems to work this way. Before they get their license, the developers claim that the cannabis won't smell and that they have state of the art equipment. After they've gone into business, the rationale is that of course it smells. It's an agricultural product but they are doing their best to limit the odour. And of course some growers couldn't care less.

Many of us have been told by people who are part of the ACRD that their hands are tied, that residents should approach the provincial government. We have and the provincial government then replies that the ACRD has, since August 2018, had the ability to ban cement-based buildings that are not under construction and, thereby, the industrial production of cannabis on agricultural land. It would have been better to have acted then, when opposition was initially voiced, but later is better than never.

I hope that you will pass the bylaw and not try to exempt Beaver Creek and 7827 Beaver Creek Road—and help the people you are representing. I am sure that your intention is not to use Beaver Creek as cash cow and garbage dump for the City of Port Alberni but that is how it seems to many of us who live there.

I also hope you will take a longer term view regarding supporting farmers who are going to be producing sustenance for the generation to come, and generally look for thoughtful and creative solutions to the economic issues that make it difficult for people in the ACRD. It is hard work—but it's the right thing to do.

Best regards,

Heather Persons
7950 Beaver Creek Road

From: [Joann Bessler](#)
To: [Planning Shared](#)
Cc: [Josie Osborne](#); [Tanya Shannon](#); [Penny Cote](#); [John McNabb](#); [Dianne Bodnar](#); [Chokes Society](#)
Subject: Bylaw P1399
Date: February 18, 2020 9:02:08 AM

ACRD Directors:

I am in favour of the adoption of Bylaw P1399; I believe it will provide a necessary pause in the rush to establish a new industry, allowing the ACRD to plan for the future of the large-scale production of cannabis in our regional district.

While Bylaw P1399 is a necessary first step, I would ultimately like to see the ACRD establish a zone where cannabis production would be a permitted use. There should be a place within the regional district where the environmental and social impacts of these industrial facilities will be negligible. This is a new industry without sufficient science-based evidence to fully assess and mitigate risk, so the precautionary principle should prevail. Some inevitable impacts are common to all industries, while others are specific to this emerging business. Impacts of concern include: air quality, water use, light pollution, the waste stream, traffic and dust control, noise, and the proximity to schools, daycare facilities, parks, and residential areas where land values may be affected.

Other levels of government have the ability to issue fines and penalties after an impact has occurred, and civil suits may provide relief to injured parties. The ACRD, through proper planning and the judicious use of bylaws and permits has the ability to proactively minimize conflicts arising due to industrial cannabis production. The ACRD has the capability to enact nuisance bylaws to mitigate odour, noise, and light pollution. The Ministry of Agriculture allows local government to issue bylaws requiring storm water and agricultural liquid waste management plans. Storm water management, effluent and wastewater management, pollution control, and water consumption could also be regulated through the building permit process. Having in place a storm water and agricultural liquid waste management plan developed by a qualified professional (a registered member of Engineers and Geoscientists BC), and including triggers and response mechanisms, would go a long ways towards mitigating community concerns around impacts to surface water and groundwater.

In conclusion, while the adoption of Bylaw P1399 is a first step, I hope it is seen as a path forward, not a door slammed shut. Cannabis production has the potential to be a lucrative industry, it is worth taking the time to consider the impacts on our lands, water, and quality of life.

Joann Bessler
Central Lake Road

From: [Janine De Witt](#)
To: [Planning Shared](#)
Cc: chokessociety1@gmail.com
Subject: Fwd: PROPOSED CANNABIS FACILITY- Alberni Clayoquot Regional District
Date: February 17, 2020 12:30:45 PM

Dear Chairperson,

I am totally apposed to the cannabis farm near Sproat Lake, for the following reasons:

1. It is too close to Sproat Lake and Sproat Lake Provincial campsite.
2. It is detrimental to the environment for the obvious reasons - Foul Odor, Toxic pollution from fertilizers and pesticides.
3. Huge amount of water needed.
4. The eventual contamination of the run-off water causing great problems to the plant and fish life of Sproat Lake.
5. Property owners around the lake are dependent on the quality of the water as it is their only supply.
6. The value off our property will be effected grossly.
7. Health problems - for obvious reasons as the fog in low lying parts can not allow the polluted air to escape - causing breathing problems, allergies etc.
8. The tranquility of the region will be effect by the lights, noise, traffic.

There are too many factors of concern that this cannabis plant should NEVER be aloud to become operational.

I am TOTALLY AGAINST THIS PROJECT.

Your sincerely
Mrs J De Witt
(resident at Sproat Lake)
Sent from my iPhone

Begin forwarded message:

From: Janine De Witt <jdocwitt@gmail.com>
Date: 17 February 2020 at 21:58:43 SAST
To: planning@acrd.bc.ca
Cc: chokessociety1@gmail.com
Subject: **PROPOSED CANNABIS FACILITY- Alberni Clayoquot Regional District**

To
Sent from my iPhone

From: [Johan Smit](#)
To: [Planning Shared](#)
Cc: [Chokes Society](#)
Subject: Cannabis farm proposal
Date: February 15, 2020 5:03:30 PM

To the ACRD Board

As a resident of Sproat Lake, I am particularly concerned about the geological assessment that shows the potential disastrous impact the cannabis farm will have on the lake, and that the lake will be destroyed if the contaminated wastewater runs into the lake unchecked. There is no way Wild Coast Canna can contain the polluted run-off from 50 outdoor acres of cannabis.

As a physician it also troubles me that the huge outdoor plantation will cause a foul odour that cannot be contained, as well as air pollution, especially in winter when these pollutants become concentrated, and cannot escape because of the low lying fog in the valley. People have to breathe, and these pollutants are known to have serious health impacts on children and adults with asthma and other respiratory conditions.

When I moved to Port Alberni almost fourteen years ago, it was Sproat Lake that attracted me with its pristine beauty, tranquility, and crystal clear unpolluted water. Apart from the terrible fact that this beautiful lake, Port Alberni's biggest asset, can be destroyed in such a way, the serious possibility that the lake can become so polluted that it will be unfit for human consumption is really quite stressful. I will no longer be able to get my household and drinking water from the lake. There is nowhere else it can come from. This, and the close proximity to a foul smelling outdoor cannabis plantation will most certainly cause the value of my property to plummet. The whole community in the Sproat Lake area will pay the same price if this cannabis company gets its way. This is an untenable situation.

If the cannabis plantation is allowed to proceed, I will sell my property on the lake, and move elsewhere where my health, my property, and my financial future will not be threatened like this. Quite a few of my physician colleagues who live on the lake are just as concerned, and saying the same thing. We love the lake, we love the outdoor lifestyle it affords, and we have no desire to leave, but it will not be worth our while to stay. Port Alberni may lose more than a few doctors if the cannabis farm sets up shop in the proposed area so close to the lake.

As ACRD Board you can lobby the Province of BC to grant a stay, or to put a moratorium on cannabis farms in such ecologically sensitive areas such as Sproat Lake. You represent us. Please do your duty.

Sincerely,

Dr. Johan Smit

February 18, 2020

Alberni-Clayoquot Regional District
3008 - 5th Avenue
Port Alberni, BC
V9Y 2E3

Email: planning@acrd.bc.ca

Re: Bylaw P1399

Attn: District Board Members

Dear Board Members:

I am writing to express my concerns with the proposed text amendment for Bylaw 1399.

In particular I am concerned about the following sections:

c. Section 3 is hereby amended by amending the following definition: "Non-Medical Cannabis Production means the production, growing, processing, storage or distribution of commercial non-medical cannabis as permitted by federal legislation, but specifically excluding the: i. production, growing and associated processing, storage or distribution of commercial non-medical cannabis within a non-soil based structure, building, prefabricated structure or container that is placed, sited, constructed, or commenced to be constructed, after September 1, 2019; ii. storefront or retail outlet distribution of cannabis; and iii. growing of cannabis by an individual for their personal use."

We would like the line referring to cannabis facilities "commenced to be constructed, after September 1 2019" to be removed so that the bylaw treats all areas of the ACRD fairly, rather than ensuring less protections to those living in Beaver Creek by presumably grandfathering in one specific production facility that has been met with opposition from the Beaver Creek residents for over 2 years. This facility is also going to be located across the street from an indigenous rehab treatment facility that houses families and young children. The increase noise, traffic, light and air pollution will have significant negative impacts on the residents of the Beaver Creek area and this facility.

e. Section 101 Small Holdings (A1) District is hereby amended by amending subsection 101.1(11) to read as follows:

"(11) Non-Medical Cannabis Production provided that the use in any building, structure or area used for the production of non-medical cannabis is sited:

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
- ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
- iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies."

I do not agree with this section as the production of Non-medical cannabis should be contained to Industrial zoned areas only. It does not have any place near residential neighbourhoods, schools or parks.

Other municipalities have been able to write robust bylaws to prevent cannabis grow facilities from being developed where there would be a negative impact on residents. Surely the ACRD cares more about the residents than it does for some low paying jobs?

The negative impacts are many, and are not limited to the ones outlined below.

1. Odour. Even the most state-of-the-art indoor cannabis facilities have failed to control odours. If a state-of-the-art company, such as Aurora Cannabis with eight production facilities and operations in 24 countries cannot control odours, it is clear that the proposed facilities in Beaver Creek and Sproat Lake will generate unpleasant odours for nearby residents.

It is important to note that even facilities in windy areas create complaints about odours from neighbours. Port Alberni, with low wind speeds and thermal inversions simply may not be suitable for cannabis production. No one in the ACRD wants to return to the smelly mill town of the 1950s and 1960s.

2. Water supply. The proponent of the facility in the Sproat Lake area, Wild Coast Canna, has yet to produce a report indicating the source of irrigation water, including evidence that the operation will not destroy the water supply utilized by the residents along Great Central Lake Road.

3. Run-off. Run-off will include nutrient runoff (nitrogen and phosphorus) as well as soil erosion. The run-off from the cannabis operation will find its way into nearby creeks, rivers, and lakes. This could destroy salmon habitats, create algae blooms, and make the water within the area's wells and Sproat Lake undrinkable. The residents of Sproat Lake depend on the lake for their drinking water. Claims by Wild Coast Canna that a closed loop water system will result in zero water usage and zero discharge are not supported by science.

4. Thermal Inversions. The Alberni Valley is known to experience thermal inversions. Cannabis facilities in open areas with high winds still solicit constant complaints about odours. Port Alberni, with thermal inversions and notoriously low winds, will certainly experience far greater odour issues.

5. Temporary Structures. My interpretation of the amended bylaw is that a cannabis producer could utilize dozens of C-Cans (shipping containers) as a way around the bylaw. This would mean cannabis production sites with potentially dozens of growers. How could the ACRD ever hope to conduct enforcement for environmental infractions (water, effluent, odour, etc.) when there would not be a single entity to engage. This arrangement would create a swirl of individual companies pointing the finger at one another. The cannabis industry, even with single site owners, has proven incapable of addressing environmental concerns. The potential presence of C-Cans is a recipe for disaster.

6. Loss of property values. Sproat Lake is the jewel of the Alberni Valley. If Sproat Lake is ruined through pollution and cannabis odours, the value of Sproat Lake real estate will plummet, along with the numerous jobs arising from these investments (home construction, maintenance, restaurants, etc.). Declining property values will cause the loss of far more in local investment than the Wild Coast Canna operation could ever contribute.

7. Loss of Tourism. New tourism businesses are being created to promote the beauty of Sproat Lake and the surrounding region. For example, have you heard of the Big Island Adventure Company and their Turn Left Strategy? If we can preserve the beauty of Sproat Lake, we can build on the success of Tofino and Ucluelet to create a year-round attraction to tourists, with many positive overflow benefits to Port Alberni.

Do we want to jeopardize this opportunity for the sake of some minimum wage jobs tending to cannabis crops?

8. Low Paying Jobs. Cannabis companies across Canada have shown a consistent trend. The higher paying full-time corporate jobs exist in large urban centers, while the minimum wage part-time jobs are the only positions created locally. Wild Coast Canna is no exception, the management team is entirely based outside the Alberni Valley.

The ACRD has been entrusted with the decision-making authority to chart a course that benefits and protects the current residents of the region, our children, and future generations. Please do not make a decision that will destroy our most important asset, the spectacular environment that is the Alberni-Clayoquot Regional District.

Signed,

Katherine Robertson

From: [Lunn Lyons](#)
To: [Planning Shared](#)
Subject: cannabis factories
Date: February 18, 2020 1:00:24 PM

As a concerned resident of Port Alberni on Great Central Lake Road, I'm sending this letter with the hope to get your interest. From the beginning, we've said that if you have to bring in these factories, find a place away from our residences, on industrial land where you can collect taxes, supply water and sewer and monitor the pollution. As you know everyone wants jobs in the valley and as an unemployed logger, I get it. You should know that hundreds of jobs are a lie and a few minimum-wage jobs are a joke as they couldn't afford a car to drive to work after they pay their rent.

The Pine Dell ranch is the wrong place as it is too close to residential, right across from a provincial campground and there is not enough water in the aquifer to sustain a Cannabis factory and all the residential farms and homes in the area.

The one on Beaver Creek Road is across from the addiction treatment center (and a daycare/school) and right in a residential area.. The water table is on the surface at that location and Beaver Creek flows across the property down through town. What are you thinking?

I will have my property appraised, water tested for volume and purity, my farm soil tested, (as we have been organic for over twelve years) and our air tested for volatile organic compounds before any factory is built in our area. There has been three years of research done and this Board has never listened!

You have a chance to right this wrong now so listen and do your job!

Lunn Lyons
9401 Central Lake Rd.
Port Alberni,
B.C.
V9Y 8Z1

From: [LES PERRY](#)
To: [Planning Shared](#)
Subject: Bylaw P1399
Date: February 15, 2020 1:53:19 PM

To whom it may concern

I am writing to you over concern about cannabis bylaws.

We live out Beaver Creek and have cannabis growing about a quarter of a block away. The smell from this establishment causes us great concern, we can not enjoy sitting outside in spring or summer.

We have recently moved our bedroom from the north side of our house to the south side, because the smell was horrific at night when we were trying to sleep.

With south winds it does help a bit to alleviate the smell.

I do not have a problem with cannabis growing, but I do believe that there should be bylaws that are strong enough to make it possible for everyone to be enjoying their community.

Sincerely

Les and Leona Perry
6442 Beaver Ck Rd

From: [Amie](#)
To: [Planning Shared](#)
Cc: chokessociety1@gmail.com
Subject: Fwd: Cannabis Farming
Date: February 6, 2020 7:54:40 AM

Hello planning dept.

Please accept this letter below as a submission from homeowners in the ACRD who are currently away from Canada; I have been asked to ensure this letter is submitted for the

Public input on Cannabis regulations in the Alberni Valley.
Public meeting planned Feb 18, 2020.

Thank you for your time.

Amie, on behalf of Sherry and Lunn Lyons

Subject: Cannabis Farming

I am writing again to express my concerns with the ACRD allowing cannabis farms near people's homes. I wonder if any of the regional directors would be happy if a cannabis factory or outdoor grow were to pop up in THEIR neighbourhood?

We don't even know what the potential health affects of the VOCs will be.. they are just starting to study that now. We live in an inversion zone so that will likely amplify any negative affects on health.

I don't believe many long term jobs will come of them. I have heard that Health Canada recommends automation for human health concerns and Aurora also has stated its intent to automate. There is incentive for them to automate because there will be no payroll taxes. However, using the promise of jobs seems to work very well to get their foot in the door..

They are huge users of water, power and chemicals so at the end of the day, there will be few jobs and a big environmental mess!

I'd like to see some common sense and discretion applied in where these are allowed to set up shop.

In our era of climate change, using valuable ALR to grow weed is ridiculous! Cannabis is a scheduled drug, not food. As the affects of climate change are felt (drought, floods, fires, ever more powerful storms), food prices will continue to increase. This will mean that we will need to provide more of our own food, not less. We also need to limit our use of fossil fuels to prevent things from getting

worse, which is another reason to protect our local farmland.

It is heartbreaking to me that people who have purchased a home, can have their quality of life and the value of their investment destroyed by a Cannabis farm or factory. I find it very hard to believe that the ACRD has no tools to make sure that these are appropriately located in an area to minimize local impacts.

Sincerely,

Lunn & Sherry Lyons
9401 Central Lake Rd

Sent from my iPhone

From: [Marilyn Aasen](#)
To: [Planning Shared](#)
Cc: chokessociety1@gmail.com
Date: February 18, 2020 3:43:40 PM

I have owned property on Sproat Lake since 1978 and been in full time residence since 1989. I am very opposed to the proposed cannabis production site near our lake. Sproat Lake is one of the few remaining pristine lakes in our province. I beg you not to be shortsighted and see only dollar signs in this matter. Once this beautiful resource is polluted, the damage will be irreversible. Respectfully yours, Marilyn Aasen

Sent from my iPad

From: [Amie](#)
To: [Planning Shared](#)
Cc: [Chokes Society](#)
Subject: Letter submission Mark Bowen
Date: February 18, 2020 8:54:32 AM

I am a resident on Central Lake Road. I am against any cannabis operation in my neighbourhood. I am concerned about my property value loss, health concerns associated with other regions from cannabis grow ops and keeping my water sources.

I would like to see all commercial cannabis grow ops and factories only allowed in Industrial areas away from residents.

I expect the ACRD Board to make decisions to protect the people and environment.

Sincerely,

Mark Bowen
Resident of Sproat Lake District

Sent in by
Amie Littlewood on behalf of Mark Bowen as he doesn't have a computer .

From: [Meagan Curtis](#)
To: [Planning Shared](#)
Subject: cannabis bylaws meeting February
Date: February 5, 2020 10:18:32 AM

To Whom it May Concern,

Please find below my submission for the Cannabis Production Regulations hearing. At a recent meeting in January with the Agricultural Land Commission (ALC), Alberni Farmers Institute and ACRD, it was abundantly clear that this issue has been mishandled from the start and that the root causes for this rest with the province. Nonetheless, what was also made clear is that it is entirely up to the ACRD to now deal with the issue – Health Canada, the ALC, and/or province will not step in to help regulate, give guidance or adjudicate on cannabis issues going forward. They have passed the proverbial hot potato and now we sit with it, having the choice to either try to throw it away or have the courage to fully deal with it.

If we toss it away, there is only one direction it can go – into the public realm and into the hands of private landowners in the region. However, we need to ask ourselves – is it just and appropriate that the public be the ones to pay the price for the incompetence and disarray at which the province functions? Should people entering rehabilitation programs and trying to recover their lives be the ones to pay the price for this? Should farmers trying to grow healthy food crops for our local communities be the ones to pay the price for this?

As I have made clear in the correspondence below, it appears not just socially unacceptable, but potentially also, legally unacceptable to permit large-scale industrial cannabis operations on ALR land given the content of our OCPs. These OCPs cannot be ignored as irrelevant and there is an abundance of case history demonstrating this. Moreover, multiple ACRD APC's have made it clear that there are many suitable locations for these operations on industrial land and that that is their preference.

At the ALC meeting, the province stated that cannabis is an agricultural crop "*because you can grow it*". The pictures attached show the conditions under which cannabis in buildings is proposed to be grown on ALR land. It turns out, there are also other things you can grow under these conditions (i.e. laboratory conditions): meat, diamonds, clothes, and human organs. The absurdity of this list speaks for itself. The argument that because you can grow something makes it a farm crop will lead to a slippery slope of more and more non-food crops being grown on agricultural land. This is not to say that the only crops acceptable are food crops, it is to point on that we must approach these matters in an intelligent manner and evaluate them in their totality rather than using simplistic reductionist logic. One example of the danger in doing so can be demonstrated as follows:

A significant part of the ALC meeting related to the allowance of small secondary residences (i.e. residences 1000 sqft or less) on ALR land. This was a contentious issue that people had to argue with Ministry about for almost a year. At the same time, the province holds that cannabis facilities massively larger than 1000 sq ft are acceptable on ALR land if the ACRD allows it. This is not a defensible or sustainable position for the province or ACRD government to put themselves in. The weight of this kind of hypocrisy over time will cause 1) our system of agricultural land protection to continue to implode as it is logically indefensible and 2) the continuing erosion of public trust in government officials and processes (which is already seemingly bottoming out).

Our provincial agricultural Minister cannot speak to cannabis as she is in a conflict of interest. Apparently, our local MP and MLA will also not adequately speak to this issue for incomprehensible reasons as this is clearly also a federal and provincial matter. What this means in practice is that it is falling completely on the ACRD to deal with this matter. Although that may seem overwhelming and unfair, we have been given the opportunity to do something here that all other levels of government did not have the ability or courage to do.

We have the chance, not to ban the cultivation of cannabis, but to control the boundaries under which it can be grown to ensure that farmland and agricultural products do not continue to devolve into simply financial assets owned and traded by companies. We can begin to steer away from this and away from a future in which being a farmer simply means being a lab technician or CEO who desires to maximize efficiencies of production and profit with the most advanced agro-technologies – a future in which the farmer becomes an short-term investor rather than a long-term steward.

If the ACRD does not acknowledge the economic and ecological context of cannabis production, people will not doubt continue to abandon this region and future generations will continue to suffer the consequences of our decisions in the present. Gone are the days when a job at the mill provided adequate income for housing, food,

transport and other securities. Minimum wage jobs at a cannabis factory will not improve the economic lot for citizens in need of a living wage to cover their increasingly rising expenses.

Given the last 6 months of continuous negative stock market and financial industry forecasts for cannabis, betting the economic future of our region on this industry simply signals the need for us to start talking about how we can realize the real economic future we seek, but have not collectively expressed. This is preferable to having our future put in the hands of actors with no apparent reason to be interested in the welfare of this community or its people. One defining feature of a farmer is their need and wish to live on site - if the proposed cannabis facilities are farming facilities managed by farmers, do their owners and investors live on site? This is one of the most basic first questions to think about and the answers to it speak volumes.

With Support,

Meagan (ALR landowner in the ACRD)

Sent: Friday, January 17, 2020 at 6:29 PM
From: "Meagan Curtis" <mjcurtis@gmx.com>
To: "Tanya Shannon" <tshannon@acrd.bc.ca>
Cc: lisaaylard@gmail.com, "George Friedrich Haack" <gfhaack@gmail.com>
Subject: Re: Fwd: OCP - cannabis bylaws email january

Hi Tanya - you can forward these questions to Mike for clarification - thanks!

It sounds like what Mike is saying is that cannabis is introducing a contradiction with the OCP as it states that the ACRD should "*consider the integrity of the natural environment and the protection of residents*" while also saying that the ACRD should "*foster agricultural use*". As this instance of agricultural use undermines the first clause - there appears a contradiction.

1. Is this an accurate reading of what Mike is saying?
2. Given Metro Vancouver has obviously decided/seen that Health Canada and/or the province is not taking steps to adjust their regulations, is there anything the ACRD can do to consider the protection of its residents as the OCP states it should do?

That is, is it the case that the actual only regulatory option the ACRD has is to hope that Health Canada does something to protect residents here? Given the track record of Health Canada's treatment of medical cannabis facilities I don't see how this is likely or reasonable to expect.

3. In regard to the statement that "*farming activities on land within the ALR are specifically exempted from our development permit guidelines relating to riparian area protection and protection from natural hazards*", I will ask again (this is a legal and process related question): What occurs if a cannabis facility moves in and does contravene clauses in the OCP? What processes are in place to address this?

As it is noted above, there is a chance they will contravene some clauses even if they can be interpreted as in the spirit of the other clauses (although I would argue that obviously cannabis facilities were not imagined by the authors of the OCP when they wrote statements about encouraging diversification or fostering agricultural use as these facilities were not options in existence then).

I understand the situation is complicated for staff and I really feel for them - its a lot of work and they have not been supported by the province at all. I was told by a Ministry staff person a few months ago that the ALC did not want cannabis on ALR land, but the Ministry of Finance put the pressure on and made it so. Of course, the Minister of Agriculture is in a publicly declared conflict of interest on this file also so that doesn't help anything either.

In spite of this, I do think the ACRD is at a important juncture here - people like me will leave if the statement by local government is basically - we prefer an economic future that harms the environment and puts residents at risk for minimum wage jobs and the profit accrued by a few others.

So although its a regulatory and legal conversation, its also a conversation about the ethical fibre of our community and what we want to be known for. I have already had my property valued by an agent and if the Emblems farm becomes a facility with no environmental protection measures in place (besides Health Canada's which there is no evidence are effective – in fact it looks like evidence is showing the opposite), its going up for sale. I was just informed last month that the cannabis 'farmers' there intend to spread the operation;s run-off onto the fields.

Meagan

Sent: Tuesday, January 07, 2020 at 4:16 PM
From: "Tanya Shannon" <tshannon@acrd.bc.ca>
To: "Meagan Curtis" <mjcurtis@gmx.com>
Subject: Fwd: OCP - cannabis bylaws

Hi Meagan,

Below is Mike's response to your email regarding the OCP and VOC emissions related to cannabis.

If you want to get together with Mike further to this email, to have an in depth discussion, please let me know, I'm more than happy to arrange, and attend.

Tanya

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From: Mike Irg <mig@acrd.bc.ca>
Sent: Tuesday, January 7, 2020 4:05 PM
To: Tanya Shannon; Alex Dyer
Cc: Douglas Holmes; ACRD Directors
Subject: RE: OCP - cannabis bylaws

Hi Tanya,

I have included all of the Directors in this email as this could be of interest to everyone.

Alex and I have gone over the email below and have the following comments.

- Cannabis production is a "farm use" (agriculture) under provincial legislation. Local governments have a limited ability to regulate certain types of cannabis production in the ALR, which we are considering in Bylaw P1399.
- There are no OCP policies referencing air quality specifically. There are references to protecting water quality. Policy 3.2.1 states that it is the ACRD's policy to "consider the integrity of the natural environment and the protection of residents and the built environment in all planning and development matters".
- There are also a number of agricultural policies in the OCP that support agriculture and objectives that promote a diversification of agricultural products and foster agricultural use.
- We are following the discussion on cannabis-related VOC emissions. I would hope that if any new information comes out about the impact on air quality, the province and Health Canada will adjust their regulations. Air quality is considered through the licensing application process from Health Canada.
- Farming activities on land within the ALR are specifically exempted from our development permit guidelines relating to riparian area protection and protection from natural hazards.
- Farming activities are protected by the *Farm Practices Protection (Right to Farm) Act* provided they follow "normal farming practices".

This is a complicated issue and I would be happy to meet with you and Megan to go over the ACRD Bylaws and answer any questions.

Cheers,
Mike

Mike Irg, MCIP, RPP
General Manager of Planning and Development
Alberni-Clayoquot Regional District
Port Alberni, BC V9Y 2E3
(250) 720-2710
Email mirg@acrd.bc.ca

This e-mail is confidential and may be privileged. Any use of this e-mail by an unintended recipient is prohibited. If you receive this e-mail in error please notify me immediately and delete it.

From: Tanya Shannon <tshannon@acrd.bc.ca>
Sent: January 6, 2020 4:19 PM
To: Mike Irg <mirg@acrd.bc.ca>; Alex Dyer <adyer@acrd.bc.ca>
Cc: Douglas Holmes <dholmes@acrd.bc.ca>
Subject: Fwd: OCP - cannabis bylaws

Hi Mike/Alex,

Can you give me some guidance to answer Meagan's questions in the e-mail below?

Thanks,

Tanya

Get [Outlook for iOS](#)

From: Meagan Curtis <mjcurtis@gmx.com>
Sent: Sunday, January 5, 2020 3:03 PM
To: Tanya Shannon
Subject: OCP - cannabis bylaws

Hi Tanya,

I was thinking about the below email today after I read that Metro Vancouver is having serious issues with VOCs from cannabis facilities. Can you clarify for me why the OCP is not relevant to these discussions and why the ACRD can potentially allow operations that they know can potentially contravene its contents?

If the ACRD's position is that cannabis facilities (regardless of size) do not contravene the clauses in our OCP can they prove this? If they cannot, what occurs if a cannabis facility moves in and does contravene clauses in the OCP? What processes are in place to address this?

Given the known issues with VOCs and cannabis facilities in Metro Vancouver, what can we do in the Beaufort to address this and ensure children and the elderly especially are not harmed?

Thanks,

Meagan

Sent: Tuesday, November 19, 2019 at 10:17 AM
From: "Meagan Curtis" <mjcurtis@gmx.com>
To: planning@acrd.bc.ca
Cc: "Jamie McKinnon" <jamie-anita@shaw.ca>, "Lisa Aylard" <lisaaylard@gmail.com>, "Penny Cote" <pcote@acrd.bc.ca>, "Robert Haynes" <haynes.r@telus.net>, "Ron Emblem"

<kenworth1232016@hotmail.com>, ""Wayne Smith"" <pleasantvalley@shaw.ca>, ""George Haack"" <gthaack@gmail.com>, "Mike Irg" <mirg@acrd.bc.ca>, "Sarah Holden" <sholden@acrd.bc.ca>, tshannon@acrd.bc.ca, hms14@shaw.ca, amirakoel@yahoo.ca, adyer@acrd.bc.ca

Subject: cannabis bylaw comments for meeting

Hi,

Our councillor suggested we contact this email in order to have our comments read/considered by council in relation to the cannabis bylaws. I have CC:ed the Beaufort APC for transparency (but I think I definitely missed people so it can be forwarded to them). This is my contribution:

1. There are at least 6 clauses in the Beaufort OCP related to water protection (see my previous email). One is specifically related to the agricultural water protection.
2. The Supreme Court of BC has established in *Weston v. Belcarra* that Councils cannot enact bylaws or undertake works that are contrary to the OCP without amending the OCP.
3. The Supreme Court of BC has established in *48 Fr Hwy Land Ltd. v. Langley (Township)*, that in exercising a discretionary power to grant or refuse a permit or licence, municipal council is exercising a quasi-judicial function.
4. The court held in the same case that Council had acted outside its statutory authority by not considering the guidelines in its official community plan.
5. The court held in the same case that Council should exercise its discretion to properly consider the petitioner's development permit application by applying the guidelines in the OCP. In its decision related to the permit, the court stated that Council must articulate its reasons for its refusal, by reference to the guidelines.

Consequently, I believe the ACRD is opening itself up to litigation but not considering the OCP - which is a legal document. This is concerning for me as a taxpayer and as a resident who knows people spent most likely a lot of time writing our OCP. These documents are not irrelevant and, as case law shows, decisions need to be justified in light of them.

The most obvious conclusion from this is that proponents need to submit information/proof that their actions will not result in effects contrary to the OCPs. They additionally need to be held accountable if that documentation does not mirror their actions or on the ground effects afterwards. There are regulatory precedents for these type of requirements.

In terms of 'making this work' for the numbered companies etc. who plan to attempt to cash in on a boom which is right now busting, the answer has been talked about in many meetings – they should be encouraged to start on M-zoned land that includes less to none of the concerns raised by residents. On this industrial land, their multi-million dollar buildings have also a better potential for re-use by other businesses the ACRD can welcome to town in the event that they want to flip their buildings if/when the market crashes even further. This offers the best financial protection to all sides.

I hope the meeting tonight is useful for everyone,

Meagan

Weston v. Belcarra (Village), 1999 CanLII 5178 (BC SC)

The requirements or legislated content of an Official Community Plan are set out in Section 945 of the Municipal Act. The Act outlines a broad framework with which the OCP must comply, essentially a statement of goals, objectives and policies. In stating the goals, objectives and policies, the OCP is intended to guide future growth, not to regulate. The Zoning Bylaw will be the primary tool to regulate development, not the OCP.

An Official Community Plan's major purpose is to provide some degree of certainty to both the residents

of Belcarra and the building industry. The OCP can only encourage senior levels of government to take action, it cannot force or require senior governments to act. Furthermore, although the OCP cannot commit Council to specific expenditures, Council cannot enact bylaws or undertake works that are contrary to it without amending the OCP.

<https://www.canlii.org/en/bc/bcsc/doc/1999/1999canlii5178/1999canlii5178.html?searchUrlHash=AAAAAQjYXV0aG9yaXR5ICJPZmZpY2lhbCBDb21tdW5pdHkgUGxhbilAAAAAQ&resultIndex=4>

48 Fr Hwy Land Ltd. v. Langley (Township), 1999 CanLII 6476 (BC SC)

Supreme Court of British Columbia — British Columbia

1999-08-10 | 15 pages

... it is clear from *Prince George (City) v. Payne*, supra, [(1977), 1977 CanLII 161 (SCC), [1978] 1 S.C.R. 458] that in exercising a discretionary power to grant or refuse a permit or licence, municipal council is exercising a quasi-judicial function ("the discretion...must be exercised judicially"). Passing, or refusing to pass, a resolution to grant a permit or licence is not a "policy" decision. It is a decision to be made applying objective standards set out in previously adopted zoning by-laws, official community plans, or other legislative acts representing the policy decisions of Council. When Council applies those standards to any particular application for a licence or permit it is not exercising a policy or legislative function, but rather one of a quasi-judicial nature.

The cases in the law of negligence drawing the distinction between the legislative or policy function of a public body, and operational conduct which may give rise to a private law duty of care, are not relevant to proceedings in judicial review, where the question is simply whether Council acted within, or beyond, the scope of the authority granted by the legislature.

In *Westfair*, the council refused to issue a development permit to an owner of land to operate a wholesale business on property zoned for that purpose on the basis of the belief of a number of councillors that the applicant did not in fact intend to operate a wholesale business, but rather a retail business. The Court held that the council had acted outside its statutory authority by considering irrelevant or improper matters ("the perceived use of the land") and not considering the guidelines in its official community plan in refusing to issue the permit. Cohen J., who was upheld by the Court of Appeal, ordered the municipality to issue the permit.

In this case, while the planning staff advised Council that the proposed development permit complied with the designation in the Official Community Plan and recommended that it be issued, there were traffic issues raised by adjacent owners that Council did not, but could, properly consider. In the circumstances of this case, I am of the opinion that Council should exercise its discretion to properly consider the petitioner's development permit application by applying the guidelines in the Official Community Plan. If it decides again to refuse to issue the development permit, it must articulate its reasons for its refusal, by reference to the guidelines.

<https://www.canlii.org/en/bc/bcsc/doc/1999/1999canlii6476/1999canlii6476.html?searchUrlHash=AAAAAQjYXV0aG9yaXR5ICJPZmZpY2lhbCBDb21tdW5pdHkgUGxhbilAAAAAQ&resultIndex=2>





To the board of directors, planning dept. of the ACRD

Over the past weeks and month's you have tried to find a balance between the economic benefits of the up and coming cannabis industry with wellbeing of the rural residents that would be directly and negatively affected given the locations of their primary growing locations.

It has been a divisive issue in the community with the residents in the city of Port Alberni on one side focusing only on the job opportunities and the economic benefits these companies are promising

....while the residents outside the city, in the rural areas where the negative effects grow ops will impact, are against it due to the noxious odors they will be forced to live with on a daily basis affecting their lives as well as the lives of their children, the air they breathe, as well as substantially increased traffic in their neighborhoods, increase crime rates, decreased property values not to say anything of the environmental impacts on local water and vegetation.

You have heard lobbying from the chamber of commerce, as well as positive endorsements from the city focusing only on the potential economic benefits they think this industry would create.

In an attempt to control where these pot farms are to be located your planning dept has created a special cannabis zone that the ACRD can somewhat control and regulate, as well as minorly increasing the setback limitations to neighbouring properties. I understand the challenge these pose with respect to the ALR zoned lands.

The setbacks the planning dept have come up with somewhat mirror what the province has recommend. However, it is my opinion and the opinion of many others that when it comes to the distances these farms are required to be by law are woefully lacking and that province got it wrong.

The evidence of this can be found online in news article after news article documenting the constant bombardment of noxious odors people have to endure on a daily basis given the inadequate distances the legal setbacks that other districts and the province and implemented.

The senseless suffering these people have to endure in their own homes could have been very easily prevented by the additions of common-sense setback limits in the cannabis bylaws.

As it stands you still have the opportunity to prevent this from happening in our district. Please learn from the mistakes of others and vote though something sensible and reasonable.

Thank you

Mike Gerigk

Central lake Rd

From: [Lienkie Brown](#)
To: [Planning Shared](#)
Cc: chokessociety1@gmail.com
Subject: Industrial Cannabis
Date: February 17, 2020 10:34:47 PM

To whom it may concern

My husband and I have been living at 8785 Faber Road since July 2003.

We are raising our 3 children here in Port Alberni on Sproat Lake and we are so thankful for the beauty we are blessed with.

Both my husband and I are doctors and feel very concerned and worried about the Industrial Cannabis grow-up next to Great Central Lake.

We are concerned about the following:

1. Smell
2. Water quality - we are getting our drinking water from this lake
3. Air quality
4. Reduction in property value
5. Negative impact on Tourism in the Alberni valley
6. Health concerns

We are not against Cannabis being grown on large scale, just not in a pristine residential and farming area. This should happen in an industrial zone of the city.

We will not be able to live and work here if this industrial Cannabis grow-up is going to settle in our beautiful valley!

Yours sincerely,
Dr. Owen Brown and Dr. Anneleen van Zyl

Sent from my iPhone

From: [Lienkie Brown](#)
To: [Planning Shared](#)
Cc: chokessociety1@gmail.com
Subject: Fwd: Industrial Cannabis
Date: February 18, 2020 7:51:58 AM

To whom it may concern

>

> My husband and I have been living at 8785 Faber Road since July 2003.

>

> We are raising our 3 children here in Port Alberni on Sproat Lake and we are so thankful for the beauty we are blessed with.

>

> Both my husband and I are doctors and feel very concerned and worried about the Industrial Cannabis grow op next to Great Central Lake.

>

> We are concerned about the following:

> 1. Smell

> 2. Water quality - we are getting our drinking water from this lake

> 3. Air quality

> 4. Reduction in property value

> 5. Negative impact on Tourism in the Alberni valley

> 6. Health concerns: poor air quality and poor waterquality for drinking and recreational purposes

>

> We are not against Cannabis being grown on large scale, just not in a pristine residential and farming area. This should happen in an industrial zone of the city.

>

> We will not able to live and work here if this industrial Cannabis grow op is going to settle in our beautiful valley!

>

> Yours sincerely,

> Dr. Owen Brown and Dr. Anneleen van Zyl

From: [Amie](#)
To: [Planning Shared](#)
Cc: [Chokes Society](#)
Subject: Fwd: For sending to ACRD
Date: February 18, 2020 8:49:45 AM

Please accept this letter as a submission by a resident of Sproat Lake District, on behalf of Phil Littlewood

Amie Littlewood

Begin forwarded message:

From: Houle Printing <office@houleprinting.com>
Date: February 18, 2020 at 8:39:02 AM PST
To: Amie <amiemo@shaw.ca>, plittlewood1@shaw.ca
Subject: For sending to ACRD

I'm opposed to the idea of Cannabis Farms anywhere near residential areas for the following reasons:

- Decline in property value
- Air quality
- Water supply
- Possibility of light and noise pollution

It is my opinion that these facilities should be located on industrial lands only.

Thanks
Phil Littlewood (concerned resident)



Penny Paul

9296 Stirling Arm Drive
Port Alberni, British Columbia
Phone (604) 734-8411
Fax (604) 734-8511

penny@andersenpaullaw.com

also practicing law as Andersen
Paul Lawyers

February 16, 2020

Via email to: Penny Cote, Regional Director cote@shaw.ca
And to: Joe VanBergen, Chairperson of The Sproat Lake
Regulation Committee joev12@shaw.ca

The Sproat Lake Community Association

- and -

Via email to: Mike Erg and staff planning@acrd.bc.ca

Alberni-Clayoquot Regional District
Planning and Development

Dear Sirs / Mesdames:

Re: Cannabis Production Regulations

My husband, Jack Andersen, I and everyone I have spoken to vehemently oppose the proposed bylaws allowing Cannabis Production in A1, A2, and A3 zoned lands. I would have to hear further on M1 zoning to offer an opinion on that. The ALR lands are federal but the district can get creative to ban the production there which should be done.

Effectively the proposed amendment allows commercial production of cannabis in many parts of all the district, including Sproat Lake and other areas. To be clear, much of Sproat Lake above the road, a substantial part of McCoy Lake, Great Central, Beaver Creek, Cherry Creek etc is in the zoning. On Tuesday at the meeting please post a map of the areas that you propose can have these large scale commercial grows. Residents can then see the potential impact.

I ask some critical questions:

1. Why is this being proposed?
2. What studies including environmental studies and water quality studies have been undertaken to determine the impact on the neighboring properties and communities of commercial medicinal and non-medicinal production? If any, please produce same.
3. Why is it that all the other districts like Tofino, Ucluelet, and Comox have prohibited production? Nanaimo has limited production to industrial zoned lands.
4. Why are you selling us out?
5. Are we this desperate for tax base that we are willing to destroy our own environment including possibly our water supply?

Page 2

The zoning regulations already allow for medicinal grows in the A1, A2, A3, and M1 zoning. This needs to be reversed. I do not think proper and informed discussion of this matter was undertaken when these amendments were made.

This brings me to the last point. Although I very much like Penny Cote and her husband Brian and appreciate all they have done for the community, it is necessary for Penny and her husband to resign immediately from the board of the SLCA. They are in a clear and blatant conflict of interest. Ms. Cote is the Regional District director and her interests in this matter runs contrary to those of the Sproat Lake residents. She is a creature of politics and may well be under pressure to vote with the majority of the directors on certain issues and / or vote a certain way for budget reasons.

I would appreciate it if these comments could be uploaded to the Regional District website and the SLRA website so that Sproat Lake residents and others can read them and comment on this important issue.

Thank you.

Sincerely,

Penny Paul

PP/el

cc: Geo Monrufet monrufet_geo@gmail.com
Steve Grey elanegray@shaw.ca
Bob Cole bobcole@shaw.ca
Bet Broome psrbet@shaw.ca

6491 Beaver Creek Road
Port Alberni B.C.
V9Y 8L5
February 10, 2020

Alberni-Clayoquot Regional District
3008 Fifth Avenue
Port Alberni B.C.
V9Y 2E3

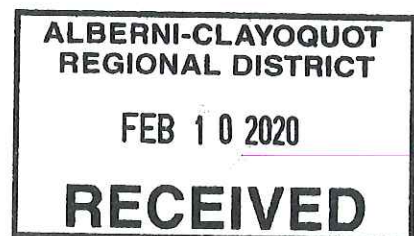
ACRD Board of Directors:

Dear Sirs:

Because noxious smells being emitted from Cannabis production sites are unpleasant and a health concern to ACRD residents and visitors on an on-going basis, I request that you consider amending Bylaw 16 or creating a new bylaw to include the regulation of noxious cannabis emissions in both the ALC and non-ALC areas and medical, non-medical, and designated grower sites.

Please, create new bylaws to cover noxious smells from cannabis production in ACRD.

Yours truly
Shyllis Desjardis



From: [reg dink](#)
To: acrd@planning
Subject: RE; Bylaw 1399
Date: February 17, 2020 3:59:11 PM

To ACRD Board Members :

I support Bylaw 1399, let's get it done...it is a good first step, by no means is it a cure for all the issues when it comes to Industrial cannabis operations.

The ACRD needs to create proper Industrial Zoned areas far enough away from where they will cause issues and conflicts with residential areas..

There are many reasons why the proposed Wild Coast Cannabis Factory was wrong for the Pine Dell Ranch site...let's hope this has been put to rest...Our little group will be watching closely...'

I am still in disbelief the Board Members failed the First Nation's Kackaamin Family Development Centre and the citizens of Beaver Creek by choosing to sit on their hands and do nothing to prevent the Premium Meds Cannabis Operation from moving forward. The People of Beaver Creek cried out for help from you . ACRD Board Members could of spoke out for the people you were voted in to represent. Instead you chose to sit on your hands and let the ALC move it forward with no resistance from you. Perhaps you were afraid of legal implications from Mona Sadeghi? Whatever. It's not too late for the Board to step up and do the right thing...

Sincerely Reggie Cocks
9351 Central Lake Road
Port Alberni B.C.
V9Y 8Z1

From: [Ryan McLean](#)
To: [Planning Shared](#)
Subject: Public Hearing for Bylaw P1399
Date: February 6, 2020 9:11:22 AM

Dear ACRD,

My name is Ryan McLean. My wife, children, and I are residents at Sproat Lake, and have family connections in the Alberni Valley going back many decades.

Thank you for your service on behalf of our community.

I am writing in regard to WCC's proposed cannabis operation adjacent to the lake. As you evaluate this proposal, please consider the following three perspectives:

1. Firstly, I respectfully urge you to enact whatever bylaw amendments and other restrictions within your power to limit or prohibit this operation.

Full consideration has not been given to the environmental implications of locating this operation in a non-industrial zone. Residents are concerned that emissions will negatively impact air and water quality -- even with the latest technologies.

People who are familiar with similar facilities elsewhere have reported a foul smell at several kilometers' distance.

A team of professional geologists evaluated the proposal and concluded that runoff from the facility could irreversibly damage the lake's water quality. Specifically, they noted that nitrogen levels could cause an algae bloom.

Another worry relates to light pollution. Cannabis facilities built elsewhere in B.C. (e.g. Fraser Valley) have dramatically altered the night sky. As a result, producers and regulators are now facing community backlash and legal action.

For photo documentation of this phenomenon, please see the Facebook Group, "Cannabis Community Concerns":

https://www.facebook.com/groups/canabiscommunityconcerns/?multi_permaLinks=2733498630099157&notif_id=1580999525215410&notif_t=group_activity

Also for your reference, I'm attaching a recent picture of the sky over a cannabis operation in

Langley, B.C.

Sproat Lake is home to hundreds of families who are deeply invested in the conservation of its natural character. The area is visited by thousands more every year. Its economic significance outweighs any financial benefits that would purportedly derive from this venture.

The Alberni Valley offers various industrial zones and alternative site options. With the above concerns in mind, I ask that this new industry be limited to an appropriate location. Such a limitation would create a "win-win-win" for residents, the local economy, and WCC.

2. Secondly, this proposal connects with the broader issue of local food production.

The proposed cannabis operation would appear to conflict with the ACRD's own "Alberni Valley Agricultural Plan."

As you know, this plan set the goal of "developing the resources required for the community to produce 40% of food consumed locally within 20 years."

In one of the discussion papers for this plan, posted on your website, it is noted that local production currently accounts for a mere 5% of consumption.

How will the District's goal of growing local food production *eight-fold* be met if scarce land and water resources are diverted to non-food initiatives like cannabis?

3. Thirdly, I would like to suggest that the logistics of the upcoming hearing be managed differently. The layout of the last meeting was not ideal. As you'll recall, ACRD staff sat opposite the crowd in a "panel" format, with speakers' backs to the audience. Consequently, a lot of information went unheard.

An alternative structure would be for ACRD staff to be seated in the front row, and for speakers to face the crowd.

Thank you for your consideration. Please feel free to contact me at this email or the number below.

Best regards,

Ryan McLean
10846 Taylor Arm Drive
Port Alberni, B.C.
650-307-9611



TO: ALBERNI CLAYOQUOT REGIONAL DISTRICT - PLANNING
RE: BYLAW P1399 Cannabis Production Regulations
DATE: February 17, 2020
FROM: TEREPOCKI RESIDENCE, BEAUFORT DISTRICT, ACRD

In regards to the NOTICE OF PUBLIC HEARING for ByLaw P1399, we are very strongly requesting that the Regional District remove the caption "**or commenced to be constructed, after September 1, 2019**" from the wording in this proposed Bylaw.

This caption prejudices the new Bylaw and will allow room for the "grandfathering-in" of any already licensed or permitted facility which has not yet begun construction. We, of course are referring to 7827 Beaver Creek Road and any other developments that may apply.

The Regional District has **FAILED TO CONSULT** with its residents in the issuing of any licensing or permits required in the development of 7827 Beaver Creek Road. The Regional District has also failed to hear a petition of close to 500 residents. It has failed to hear written letters, personal testimonies and requests against this particular development.

We are asking again, that **WE THE PEOPLE, BE HEARD!** Failure to do so, is failure to consult, failure to listen, and failure to execute democracy.

We are asking for increased setbacks where applicable. In particular wrt schools and parks. In those cases, setbacks should be set at a minimum of 2, possibly more, miles. Anything less is a joke or is it only "an optic", as the municipal planners have stated.....? What about our children? We do not believe that enough studies have been done, if any, on how far, the large stench clouds, once leaving the properties of marihuana growing facilities, travel. Studies need to be done on the wind patterns in the valley and where the clouds of stench travel, before scratching down a superficial number of feet which means nothing. Not to mention the negative effects to neighbours or traffic that passes by.

Prohibiting cannabis production on lots smaller than 2.43 hectares, really needs to be LOOKED AT. Just check out 6467 Beaver Creek Road and you will see that your Bylaw seems to be allowing for production on lots much smaller than this number. Also, what kind of cannabis production are you referring to here, exactly?

IN SUMMARY:

Please remove the above-noted caption from P1399. Please realize that quite possibly the ACRD has not done enough research or asked enough questions regarding specifics of its populace to be making setbacks here there and everywhere, that are meaningless.

R. Terepocki of Beaufort District - For the People

From: [Sandra Reid](#)
To: [Planning Shared](#)
Subject: Public Hearing for Bylaw P1399 - Cannabis Production Regulations
Date: February 14, 2020 10:32:31 AM

Dear ACRD,

Thank you for your service on behalf of our community.

Re: Public Hearing for Bylaw P1399

We (Gordon and Sandra Reid) are writing in regard to WCC's proposed cannabis operation adjacent to the lake. We are long time (30 yrs), full time residents at Sproat Lake and have a family history in Port Alberni going back several generations. We respectfully urge you to enact whatever bylaw amendments and other restrictions within your power to limit or prohibit this operation. As you evaluate this proposal, please consider the following:

Full consideration has not been given to the environmental implications of locating this operation in a non-industrial zone.

- Residents are concerned that emissions will negatively impact air and water quality -- even with the latest technologies. People who are familiar with similar facilities elsewhere have reported a foul smell at several kilometers' distance.
- A team of professional geologists evaluated the proposal and concluded that runoff from the facility could irreversibly damage the lake's water quality. Specifically, they noted that nitrogen levels could cause an algae bloom.
- Another worry relates to light pollution. Cannabis facilities built elsewhere in B.C. (e.g. Fraser Valley) have dramatically altered the night sky. As a result, producers and regulators are now facing community backlash and legal action.
- Sproat Lake is home to hundreds of families who are deeply invested in the conservation of its natural character. The area is visited by thousands more every year. Its economic significance outweighs any financial benefits that would purportedly derive from this venture.
- The Alberni Valley offers various industrial zones and alternative site options. With the above concerns in mind, we ask that this new industry be limited to an appropriate location. Such a limitation would create a "win-win-win" for residents, the local economy, and WCC.

This proposal connects with the broader issue of local food production. The proposed cannabis operation would appear to conflict with the ACRD's own "Alberni Valley Agricultural Plan."

- This plan set the goal of "developing the resources required for the community to produce 40% of food consumed locally within 20 years."
- In one of the discussion papers for this plan, posted on your website, it is noted that local production currently accounts for a mere 5% of consumption.

- How will the District's goal of growing local food production *eight-fold* be met if scarce land and water resources are diverted to non-food initiatives like cannabis?

We would like to suggest that the logistics of the upcoming hearing be managed differently. The layout of the last meeting was not ideal. As you'll recall, ACRD staff sat opposite the crowd in a "panel" format, with speakers' backs to the audience. Consequently, a lot of information went unheard. An alternative structure would be for ACRD staff and the speakers podium to be on opposite sides of the room so the community has better visibility, better clarity to the information being shared and is able to make a connection to both parties.

Thank you for your consideration. Please feel free to contact me for further information and to acknowledge receipt of this feedback via this email.

Best regards,

Sandra and Gordon Reid

10088 South Drive

From: [Susan Roth](#)
To: [Planning Shared](#)
Subject: Re: Proposed Bylaw P1399
Date: February 10, 2020 2:13:24 PM

Thanks Alex

I am in agreement with the proposed bylaw except for one item: In item 2(d)Section 101 Small Holdings (A1) District; I would like the lot size in section (iii) to be the same "no minimum lot size" for both A1 and ALR. However, if my preference means that I would be considered in disagreement with the amendment, I will forgo requesting the amendment to a later date.

Overall, in the best interests of the community, I am in favour proposed Bylaw No. P1399. The federal government has pushed aside small producers. I am all for small producers creating sustainable businesses. The environment will suffer less having smaller grows located in different places throughout the valley than one or two major grows sucking the life out of the environment where they are located. To me, big business means "greed." I can't help thinking that way. It's been proven time and time again. Just look at the forests that surround us and the ailing forest industry. Forest companies logged too much, too fast.

Best Regards

Susan E. Roth

6597 Walker Road
Port Alberni, BC V9Y 8W8
T: 250-918-8920
E: sroth61@gmail.com

On Mon, Feb 10, 2020 at 12:00 PM Planning Shared <planning@acrd.bc.ca> wrote:

Hi Susan,

Please find attached copy of Bylaw P1399. We have a binder available at the office with relevant background information and related staff reports to the Board. Please let me know if you have any questions at all relating to Bylaw P1399.

Thank you,

Alex Dyer MCIP, RPP

Planner

Alberni-Clayoquot Regional District

3008 Fifth Avenue Port Alberni, BC V9Y 2E3

250-720-2708 (direct) | 250-723-1327 (fax) | adyer@acrd.bc.ca

This e-mail is confidential and may be privileged. Any use of this e-mail by an unintended recipient

is prohibited. If you receive this e-mail in error please notify me immediately and delete it.

From: Susan Roth <s.roth61@gmail.com>

Sent: February 5, 2020 9:04 AM

To: Planning Shared <planning@acrd.bc.ca>

Subject: Re: Proposed Bylaw P1399

Good Morning:

Could I please get a copy of the proposed Bylaw P1399 via email so that I may respond to it accordingly.

Best Regards

Susan E. Roth

6597 Walker Road

Port Alberni, BC V9Y 8W8

T: 250-918-8920

E: sroth61@gmail.com

From: [Sabrina](#)
To: [Planning Shared](#)
Cc: chokessociety1@gmail.com
Subject: Commercial and medical cannabis production
Date: February 15, 2020 5:17:36 PM

Please confirm receipt of letter for the public hearing on February 18th 2020. Thank you

----- Forwarded message -----

From: **Sabrina** <tourismsabrina@gmail.com>
Date: Tuesday, November 19, 2019
Subject: Commercial and medical cannabis production
To: dholmes@acrd.bc.ca, Penny Cote <pcote@acrd.bc.ca>, pard54@hotmail.ca,
dbodnar@acrd.bc.ca, kroberts@acrd.bc.ca, tshannon@acrd.bc.ca, bbeckett@acrd.bc.ca,
Osborne@tofino.ca, ALCBurnaby@victoria1.gov.bc.ca, "Edwards, Patty"
<Patty.Edwards@leg.bc.ca>, "scott.fraser.mla" <Scott.Fraser.MLA@leg.bc.ca>,
mirg@acrd.bc.ca,

Dear Staff and Electoral Directors,

Please include this email and letter from Winnipeg City Councillor as part of the public record for the public hearing on commercial cannabis.

I am not against the cannabis industry but I now have a very strong belief that commercial cannabis and outdoor grows should be designated to industrial zones far away from people. I first heard about the Great Central lake proposal in July 2019 at the Sproat Lake Community meeting (record breaking public attendance for the SLCA). I had no opinion on commercial cannabis grow ops at that time and started to make my own decision with extensive research. I have contacted other Regional Districts that are similar to our area as a valley and spoken with residents who live near existing facilities. I also reached out to Winnipeg after the City began promoting "Pot Alberni" from their recent trip to Delta 9 a cannabis facility.

My opinion today is that there is a place for cannabis but that this place it is no where near residential. It should also not be near any areas that can impact the water and already poor air quality in the valley. Placing cannabis on agricultural land only truly benefits the company as the taxes are minimal compared to that of industrial land. Throughout the past few months the residents of the ACRD have been called NIMBY. Has anyone considered that the companies that are planning setting up their cannabis businesses are not placing it on their own communities. I feel like the draw to the ACRD is cheap land and so far relaxed rules towards cannabis compared to other communities.

Since the July meeting many of the lake residents have started groups and began researching what other communities are doing to protect their residents and environment. As you are aware there are a large number of doctors who live at the lake. They do not want to see this type of business near residential either because of the health risks. Many conversations have

brought up other issues of medically licensed facilities on the lake already polluting the water, people using chemicals on lawns, leaking septic tanks and many other issues that impact our water. With all the feedback I have had I feel that this community is very open and would be welcoming to stricter laws and regulations that protect our quality of life and environment. Currently, the smaller scale issues with medical cannabis grow ops are not able to be resolved so how will the ACRD stop a commercial cannabis production of a larger scale?

I do not believe that this is farming. We have organic farmers that work tirelessly to make sure they are farming sustainably. Cannabis in my opinion should be removed from farming and placed into light industrial and manufacturing of consumables. For years people were illegally growing cannabis off the highway in the bushes because of the smell. Now that it is legal this crop isn't any less unhealthy for VOC's and air quality. There isn't really anything that the industry can do to control the smell from outdoor grow. I think that we can all agree that the process to change laws takes time and that this entire legalization was not properly executed. Which is exactly the reason we should not be rushed into accommodating this industry to set up in our community.

I am grateful that the directors have been so far making changes to bylaws and listening to the residents. After the first public meeting in August hosted by the Sproat Lake Community Association we have been contacted by so many residents and people from other communities for help. "Help" that is the main point - community members all across Canada are seeking help to protect them from this industry. Having spoken at the Sproat Lake meetings has opened the door of communication between the public and myself. To be honest at times it has been overwhelming as I am not in a position to help other than to be the messenger and a voice for the residents. As previously, mentioned at the October meeting we have contacted all levels of Government for help to which all have said that the ACRD is the only organization that can protect us from commercial cannabis. I realize that water and air quality are Provincial but it only becomes a provincial issue once the damage is done. We need to be proactive instead of reactive if we want to preserve the quality of life and environment we have.

The Sproat Lake OCP PDF online shows this photo of Sproat Lake. Residents of Sproat Lake chose to live here because of the recreational and pristine waters. This does not look like farming or industrial land yet with cannabis residents will be exposed to this industry because of the nature of this crop.



Taken from the OCP: The goals of the Sproat Lake community are to: 1) provide for continued social and economic growth in the area; 2) protect water quality and areas adjacent to streams, water features and environmentally-sensitive areas; 3) advance, support, promote and encourage a successful, viable agricultural industry in the Alberni Valley; 4) offer residents a healthy lifestyle, a good quality of life and affordable housing options; 5) preserve

the rural character of the area while minimizing conflict between different land uses; and 6) provide a diverse economy based on environmental and cultural tourism as well as more traditional resource activities

Recently the cannabis industry is dropping drastically in market value and layoffs have started to happen. Artificial Intelligence is preferred and is being used instead of humans. AI is better for the product being protected from contamination and far more efficient and cost effective than a single employee. We need to consider what the future will look like for this area. I understand that the City of Port Alberni has been suffering economically with mill shut downs and that jobs are desired. I just do not think that this is the solution. One solution would be to place it on industrial land so that the tax dollars would help the City. This brings about another concern that the City of Port Alberni is actively seeking for this type of industry investment yet are wanting it place it in the ACRD. Our agricultural land which is limited should be used for food and we should be protecting our local farmers.

Morally we are all responsible for the future of the community. Beaver Creek has a proposal for a commercial cannabis facility right next door to a First Nations recovery center. To me this is very sad and concerning that this is the message we are sending that we just do not care about the residents and their lives. This does not match the OCP for the ACRD at all. As new information comes in we need to be able to adjust and make rules that protect everyone and the environment.

I feel that given the sensitivity of this issue the ACRD should be conducting a public input process where every resident is able to give their opinion in confidentiality. That is the only way the ACRD will hear from everyone as people are very afraid. Literally people are fearful to say publicly how they are concerned with what is being proposed because of this industry being illegal just a few years ago. With Winnipeg they place these facilities away from residential and in highly confidential locations with security because of the nature of this industry. Vancouver Island has a lot of space where a Cannabis Zone could be created away from the public and with security. People didn't select to live in the ACRD to have a high security massive building destroy their view of the country and environment.

We have been looking at other examples of communities that have placed bylaws to protect the residents for example the Township of Langley. These rules make setting up cannabis in the ACRD undesirable and I completely support the ACRD directors in leading the way in making more bylaws and rules to protect our quality of lives. I am confident that the directors have heard the residents concerns over the past few months. As the messenger for many concerned community members who are not able to give their opinion publicly because of their profession or some other kind of conflict of interest, I would like the directors to know that we are all behind you completely in taking whatever steps are necessary to protect us and our environment that we share. It is our hope that together with community input the Valley will be able to come up with a solution that preserves our quality of life and environment.

Sincerely,

Sabrina Zimmermann

Below letter from Councillor Eadie Ross - Winnipeg

----- Forwarded message -----

From: **Eadie, Ross** <readie@winnipeg.ca>

Date: Thu, Oct 17, 2019 at 3:32 PM

Subject: Commercial and medical cannabis production

To: tourismsabrina@gmail.com <tourismsabrina@gmail.com>

Dear MS. Sabrina Zimmerman,

I am writing this message to you in regard to our telephone conversation about the topic in the subject line today, October 17, 2019. It is troubling to hear cannabis production is being considered to be located adjacent to residential property. In Winnipeg, we have had neighbourhood problems with medical cannabis production that gets into larger number of plants. However, we have not had problems with commercial cannabis production facilities located in industrial zones.

I like to remind people that at a certain level of cannabis grow operations, it becomes a production / manufacturing undertaking, not growing four plants for personal usage. With your current situation MS. Zimmerman, it is definitely light manufacturing just like a large cheese plant or mushroom greenhouse. Land use in Winnipeg indicates that these facilities need to be in a manufacturing zone such as an M1 or M2. Even though there is a commercial cannabis grow operation a block or two away from residential, property in my ward, it is actually in an established industrial zone that has existed for a hundred years. The cannabis facility I speak of is in the centre of Winnipeg near the railway tracks. It does not produce any smell that a person could tell outside of the plant, but nevertheless, it is in a properly zoned place unlike the stinky 200 and 300 medical cannabis plant houses which can also bring criminals around once identified.

I'm sure there are manufacturing/industrial zoned areas on Vancouver Island in or near cities and small towns that could handle a commercial cannabis production operation. The City of Winnipeg more than likely would not let a production plant open on residentially zoned land. I can't say for sure as commercial grow operations have not tried to pull that kind of a trick in Winnipeg. It is interesting MS Zimmerman that there are broken down unused lumber mills that could be used to create jobs by converting into cannabis production plants while not bothering residents in your part of the world. You can tell whomever you want that this city councillor does not support offending residential land use designated properties rights. There are strong reasons for proper land use laws. In the prairies there are enough sizable farms to grow fifty acres of cannabis that would not be anywhere near the next farm house. On the Island, there must be much smaller farms that could bring problems if located near cannabis growing fields. Good luck in steering the commercial cannabis operations to properly zoned land.

Respectfully,

Ross Eadie

City Councillor, Mynarski Ward, Winnipeg

Member, SPC On Protection, Community Services and Parks

Member, Lord Selkirk West Kildonan Community Committee

Chairperson/President, Selkirk Avenue BIZ

Telephone: 204-986-5188

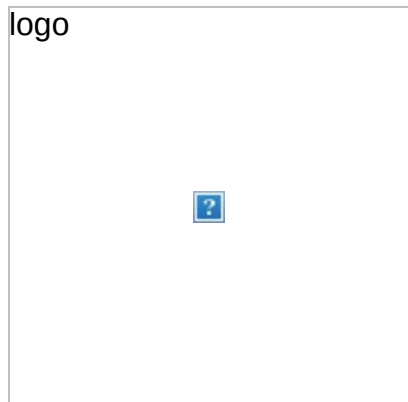
Cell phone: 204-391-6259

E-mail: ReadIE@winnipeg.ca

Ross listens!

This communication is intended only for the person to whom it is addressed, and may contain information that is confidential. Any other use, distribution, copying or disclosure is strictly prohibited. If you have received this communication in error, please notify the sender immediately by phone (204.986.5188) or reply to the message and then delete and destroy any copies of it.

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Sabrina Zimmermann Owner, Sustainable Tourism Solutions

| Mobile: + 1 250 228 0049

www.sustainabletourismsolutions.com



Contact me: ☐ sabzimm



From: [GT Pighin](#)
To: [Planning Shared](#)
Cc: chokessociety@acrd.bc.ca
Subject: Cannabis Farm Proposal
Date: February 13, 2020 2:58:55 PM

Good afternoon:

Please accept this email as my formal opposition to the proposed cannabis farm in the Alberni Valley.

The proposed farm is a bad idea for so many reasons. The greatest reason being the harm to our environment that it will cause.

I am very concerned about the effects to our air quality, the contamination of our pristine Sproat Lake, and the terrible odour associated with these types of farms and plants.

I am not in favor of this project, and further fear what this project would do to further harm the reputation of the valley and the negative effects on our property values.

These are just a couple of the many reasons why this project is not a good idea, and I am strongly against it.

Thank you for your consideration.

Terrie Pighin
Alberni Valley Long Time Resident

From: [Danie van der Merwe](#)
To: [Planning Shared](#)
Cc: chokessociety1@gmail.com
Subject: Cannabis facility
Date: February 12, 2020 11:46:28 PM

Based on known facts and previous meetings,I absolutely oppose the proposed development without a full,independant environment study.Water,air and noise pollution,impact on water tables must be fully investigated and the report must be publicized before any decision can be made.

Dr Daniel van der Merwe,9898 Stirling Arm Crescent.

Get [Outlook for iOS](#)

ACRD Cannabis and OPC concerns {and support for the Comox Valley response}

Our current regional directors and the planning staff at the ACRD have disregarded the opinions and rights of residents {homeowners}. Those residents living in ALR lands are now being treated as second class citizens by being told that the same rights of protection that residents enjoy outside ALR, do not apply to them simply because their homes are inside ALR lands . This attitude has only become a major issue after the legalization of cannabis.

Points that the ARCD should consider is definition of a "resident and their rights ."

In ALR lands it is ALLOWED and ENCOURAGED through infrastructure development i.e water systems schools, roads etc.that a resident does not actually have to farm but can just reside there. In addition a farmer has the same right to these services as a non farming resident. Therefore it is obvious that a resident and farmer are equal in regards to property rights and protection from unfavourable uses that a municipality or regional district is charged to regulate. A neighbourhood regardless of whether it is in ALR lands or not is still subject to regulations i.e. building permits ,lot sizes, OCP advisory committees etc. , taxation etc. A governing authority {ARCD} that grants permits etc. and has control of residential development and enforcement has a primarily responsibility to protect those residents of any future property use that could adversely affect the residents !.. The main purpose of a OCP to ensure that an orderly progress of development is guaranteed to all residents on an equal and democratic basis . This fundamental right should override an independent boards {ALC} right to remove a homeowners basic right to enjoyment of property without compenstion

OCP guidelines are normally arrived at by an areas grouping of lot sizes and residents are expected to plan future improvments and lifestyles based on that principle. A subdivision requires a amendment or revision to the OCP by due process. The reverse action of combining of legal lot lines action in order to allow a development to proceed and therefore by pass minimum lot sizes regulations is in conflict of an OCP because its sole purpose is to bend the rules . Any similar permits granted without updated OCP or revision is a failure of due process.

This argument has even more substance when you factor in that a short time ago Cannabis cultivation was a illegal activity. No resident or planning authority has had a proper amount of time to make necessary adjustments. The proper route to follow is a public process to amendment the OCPs so that Cannabis production areas are properly sited and regulated .

Compensation should be sought after and paid to affected homeowners where an undesirable use or activity has adversely affected their homeowner rights. . Nuisance issues should be monitored by the ARCD bylaw enforcement , fines leveed and collected by the ARCD.

Bill 52 in the ALR act has clearly placed more control in the hands of local government . The Comox Valley regional district has adopted a proper and democratic response to this issue and our ARCD should join with them in support. Perhaps other regional districts will encouraged to join forces and provide a momentum that the provincial gov can follow.? I do believe that this is matter is of enough concern that it should also go to public referendum

Submitted by Wayne Smith. 250-723-8988 e-mail waynecarrie@shaw.ca

ALBERNI-CLAYOQUOT
REGIONAL DISTRICT

FEB 14 2020

RECEIVED



**ALBERNI-CLAYOQUOT
REGIONAL DISTRICT**

APPENDIX 'C'

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3

Telephone (250) 720-2700 Fax (250) 723-1327

BYLAW RESPONSE SUMMARY

BYLAW NO: P1399 ACRD FILE NO.: RT19009 (Cannabis Production)

☐

Approval Recommended for Reasons
Outlined Below

☒

Interests Unaffected by Bylaw

☐

Approval Recommended Subject to
Conditions Below

☐

Approval NOT Recommended Due to
Reasons Outlined Below

Agency (please print): Alberni-Clayoquot Regional District

Name (please print): Luc Stefani

Title: Building Inspector

Signature:

Date: September 17th, 2019

From: [Olynyk, Ted](#)
To: [Alex Dyer](#)
Subject: RE: [External] Bylaw P1399 Referral Request - Cannabis Production in the ACRD
Date: November 14, 2019 2:47:21 PM

I have been advised that all those restrictions apply to the customer and shouldn't affect BC Hydro

Ted Olynyk | Mgr., Community Relations
Vancouver Island – Sunshine Coast

T 250 755 7180
M 250 618 6267

From: Alex Dyer [mailto:adyer@acrd.bc.ca]
Sent: 2019, November 12 5:26 PM
To: Olynyk, Ted
Subject: RE: [External] Bylaw P1399 Referral Request - Cannabis Production in the ACRD

Hi Ted,

Thank you for your comments on ACRD Bylaw P1399, which introduces additional regulations for the production of medical and non-medical cannabis in the ACRD.

The ACRD Board has now amended Bylaw P1399 and given the bylaw second reading as amended. The amended Bylaw P1399 would:

- Update the definitions to restrict the production of cannabis within any non-soil based structure, building, prefabricated structure or container that is placed, sited, constructed, or commenced to be constructed, after September 1, 2019;
- Remove the minimum lot size for cannabis production on any property within the Agricultural Land Reserve; and
- Implement a 60m setback from any lot line for cannabis production on any property outside the Agricultural Land Reserve;

If you feel these amendments impact your initial comments to the bylaw referral, I wanted to give you an opportunity to provide updated comments on the bylaw as presented. I have attached the bylaw and staff report as well as a bylaw referral form if you are interested.

If you wish to submit any further comments, please do so by **Tuesday, November 19th**. Please let me know if you have any questions at all. Thank you,

Alex Dyer MCIP, RPP

Planner

Alberni-Clayoquot Regional District

3008 Fifth Avenue Port Alberni, BC V9Y 2E3

250-720-2708 (direct) | 250-723-1327 (fax) | adyer@acrd.bc.ca

This e-mail is confidential and may be privileged. Any use of this e-mail by an unintended recipient is prohibited. If you receive this e-mail in error please notify me immediately and delete it.

From: Olynyk, Ted <Ted.Olynyk@bchydro.com>
Sent: September 19, 2019 9:06 AM
To: Alex Dyer <adyer@acrd.bc.ca>
Subject: RE: [External] Bylaw P1399 Referral Request - Cannabis Production in the ACRD

No issues from us

Ted Olynyk | Mgr., Community Relations
Vancouver Island – Sunshine Coast

T 250 755 7180
M 250 618 6267

From: Alex Dyer [<mailto:adyer@acrd.bc.ca>]
Sent: 2019, September 17 3:07 PM
To: Alex Dyer
Cc: Mike Irg; Charity Hallberg Dodds; Amy Anaka; Sarah Holden
Subject: [External] Bylaw P1399 Referral Request - Cannabis Production in the ACRD

*****Caution:** This is an **external** email. Do not open attachments or click on links from unknown senders.***

Good afternoon,

Please find attached the referral package and response form for Bylaw P1399. This zoning amendment bylaw will regulate the construction of new cement-based structures used for the production of medical and non-medical cannabis in the ACRD. The bylaw would also provide updated definitions for medical and non-medical cannabis production and introduce additional setbacks from residential and institutional zones as well as existing schools and parks.

Please review at your convenience and we would be grateful if you could provide a response by October 15th. If you have any questions or need any additional information, please do not hesitate to contact me directly at 250-720-2708 or adyer@acrd.bc.ca.

Thank you,

Alex Dyer MCIP, RPP
Planner

Alberni-Clayoquot Regional District
3008 Fifth Avenue Port Alberni, BC V9Y 2E3
250-720-2708 (direct) | 250-723-1327 (fax) | adyer@acrd.bc.ca



**ALBERNI-CLAYOQUOT
REGIONAL DISTRICT**

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3

Telephone (250) 720-2700 Fax (250) 723-1327

BYLAW RESPONSE SUMMARY

BYLAW NO: P1399 ACRD FILE NO.: RT19009 (Cannabis Production)

☐

Approval Recommended for Reasons
Outlined Below

☒

Interests Unaffected by Bylaw

☐

Approval Recommended Subject to
Conditions Below

☐

Approval NOT Recommended Due to
Reasons Outlined Below

Agency (please print): Cherry Creek Fire Department
Name (please print): Lucas Banton Title: Fire Chief
Signature: Lucas Banton Date: 19 Sept 2019

From: [Katelyn McDougall](#)
To: [Alex Dyer](#)
Subject: RE: Bylaw P1399 Referral Request - Cannabis Production in the ACRD
Date: October 18, 2019 5:36:13 PM

Hey Alex,

Thanks for sending us the referral package and allowing us the opportunity to comment. Our comments are below. Please let me know if you need any additional information from us.

City of Port Alberni Planning Staff have reviewed the ACRD's zoning text amendment referral package to:

- prohibit the construction of new cement-based structures used for cannabis productions (removing it from A1, A2, A3 and M1 Districts)
- and where cannabis production is a permitted use (under provincial legislation) the zoning amendment would introduce 60 meter setbacks from residential and institutional zoning districts and a 300 meter setback from existing schools and parks.

City of Port Alberni Planning Staff have the following comments to share regarding the ACRD's proposed zoning text amendments:

- 1) Identifying zones for cannabis production (with additional regulations and policies) would strengthen the ACRD's ability to regulate the industry, as compared to taking a case-by-base approach.
- 2) Large scale facilities, specifically outdoor facilities used for standard cultivation and processing, belong in a more rural setting that the regional district provides. At minimum zoning considerations should be made by the ACRD to identify regulations for these types of facilities.
- 3) The City is currently in the process of reviewing land use regulations for cannabis cultivation and processing. Staff's recommendations are outlined below, but are currently pending review by the Advisory Planning Commission and Council, and are thus subject to change.

Cannabis Cultivation in the City

In May 2019, City of Port Alberni Planning Staff were directed by Council to identify appropriate zones (based on research and public consultation) for Cannabis Cultivation.

Throughout the City's consultation process members of the public raised concerns about odor, noise, air quality, and environmental impact. As such, Staff are proposing the use of setbacks, buffer zones, develop permit areas, and other regulations to help mitigate these concerns.

The overall proposed approach is permit cannabis cultivation in industrial zones, agricultural zones, and limited commercial zones based on the scale and type (indoor or outdoor) of facility. Large outdoor facilities (standard cultivation) have been excluded from staff's recommendations as it is

our belief that those types operations are most appropriate for a rural agricultural or industrial setting, outside city limits, and are not suitable for urbanized areas.

Recommended Approach to Zoning for Cannabis Cultivation

1. Those regarding indoor facilities (greenhouse or warehouse):
 - a. That Standard Cultivation Facilities (anything more than 200m² in size) be allowed in the Light Industry (M1), Medium Industry (M2), and Heavy Industry (M3) zones.
 - b. That Micro-Cultivation Facilities (anything up to 200m² in size) be allowed in the Light Industry (M1), Medium Industry (M2), Heavy Industry (M3), Service Commercial (C3), and High Commercial (C4) zones.
 - c. That Cannabis Nursery Facilities (limited to 50m² in size, and only the production of seeds, seedlings, and clones – no dried flower) be allowed in the Light Industry (M1), Medium Industry (M2), Heavy Industry (M3), Service Commercial (C3), Highway Commercial (C4), and Agriculture (A1) zones.
2. Those regarding outdoor facilities (farmed):
 - a. That outdoor micro-cultivation facilities be allowed in the Light Industry (M1), Medium Industry (M2), Heavy Industry (M3), and Agriculture (A1) zones.
 - b. That outdoor Cannabis Nursery Facilities be allowed in Light Industry (M1), Medium Industry (M2), Heavy Industry (M3), and Agriculture (A1) zones.
3. Those regarding other zoning bylaw regulations:
 - a. That staff propose definitions for the types of Cannabis Facilities that are consistent with Health Canada's definitions.
 - b. That staff include recommendations for building setbacks, buffer zones, and regulations to help mitigate noise and odor concerns.
 - c. That any Cannabis Production Facility be required to obtain a Development Permit (regarding building form and character) to ensure a high-quality development and mitigate impacts to the visual landscape.

Best,



Katelyn McDougall
Manager of Planning

A City Hall, 4850 Argyle Street, Port Alberni, BC V9Y 1V8
O 250.720.2808 **M** 250.206.3333 **W** portalberni.ca

From: Alex Dyer <adyer@acrd.bc.ca>
Sent: October 16, 2019 11:09 AM
To: Katelyn McDougall <katelyn_mcdougall@portalberni.ca>
Subject: FW: Bylaw P1399 Referral Request - Cannabis Production in the ACRD

Hi Katelyn,

Thanks I got your message. The Board is still looking at making some amendments to this bylaw and we are working through that in the coming weeks. It would be great if you could provide a comment on behalf of the City.

Thanks again, all the best!
Alex

From: Alex Dyer
Sent: September 17, 2019 3:07 PM
To: Alex Dyer <adyer@acrd.bc.ca>
Cc: Mike Irg <mirg@acrd.bc.ca>; Charity Hallberg Dodds <chdodds@acrd.bc.ca>; Amy Anaka <aanaka@acrd.bc.ca>; Sarah Holden <sholden@acrd.bc.ca>
Subject: Bylaw P1399 Referral Request - Cannabis Production in the ACRD

Good afternoon,

Please find attached the referral package and response form for Bylaw P1399. This zoning amendment bylaw will regulate the construction of new cement-based structures used for the production of medical and non-medical cannabis in the ACRD. The bylaw would also provide updated definitions for medical and non-medical cannabis production and introduce additional setbacks from residential and institutional zones as well as existing schools and parks.

Please review at your convenience and we would be grateful if you could provide a response by October 15th. If you have any questions or need any additional information, please do not hesitate to contact me directly at 250-720-2708 or adyer@acrd.bc.ca.

Thank you,

Alex Dyer MCIP, RPP
Planner

From: [Cannabis Licensing / Licences cannabis \(HC/SC\)](#)
To: [Alex Dyer](#)
Cc: [Mike Irg](#); [Charity Hallberg Dodds](#); [Amy Anaka](#); [Sarah Holden](#)
Subject: RE: Bylaw P1399 Referral Request - Cannabis Production in the ACRD
Date: September 25, 2019 6:56:09 AM

Hello,

Thank you for your message.

At this time, an applicant is not required to provide zoning to Health Canada. Applicants and licence holders are responsible for compliance with the Cannabis Act and its Regulations as well as compliance with federal, provincial, municipal, and environmental legislation, including zoning, building and fire codes.

If you have any additional questions, please contact us at HC.licensing-cannabis-licences.SC@canada.ca.

Sincerely,

Licensing and Security Division
Controlled Substances and Cannabis Branch
Health Canada / Government of Canada 3
HC.licensing-cannabis-licences.SC@canada.ca

Division des licences et de la sécurité
Direction générale des substances contrôlées et du cannabis
Santé Canada / Gouvernement du Canada 3
HC.licensing-cannabis-licences.SC@canada.ca



From: Alex Dyer <adyer@acrd.bc.ca>
Sent: 2019-09-17 6:07 PM
To: Alex Dyer <adyer@acrd.bc.ca>
Cc: Mike Irg <mirg@acrd.bc.ca>; Charity Hallberg Dodds <chdodds@acrd.bc.ca>; Amy Anaka <aanaka@acrd.bc.ca>; Sarah Holden <sholden@acrd.bc.ca>
Subject: Bylaw P1399 Referral Request - Cannabis Production in the ACRD

Good afternoon,

Please find attached the referral package and response form for Bylaw P1399. This zoning amendment bylaw will regulate the construction of new cement-based structures used for the production of medical and non-medical cannabis in the ACRD. The bylaw would also provide updated definitions for medical and non-medical cannabis production and introduce additional setbacks from residential and institutional zones as well as existing schools and parks.



Hupacasath First Nation Natural Resource Department

Ph. (250) 724-4041
Fx. (250) 724-1232
brandy@hupacasath.ca
www.hupacasath.ca

5500 Ahahswinis Dr.
Box 211
Port Alberni, BC V9Y 7M7

Doug Holmes, Mike Irg, Alex Dyer
ACRD
3008 Fifth Avenue,
Port Alberni, BC, V9Y 2E3

November 19, 2019

Dear Doug, Mike and Alex

RE: ACRD Bylaw P1399

The Hupacasath First Nation is in receipt of your email. It is my understanding that this bylaw amendment is going into its third reading.

I find it concerning that with creating an amendment to the bylaw that there is no mention of contamination monitoring (water, soil, and air). Having protections of the surrounding environment in several bylaws with clean up, fines stated is more likely to prevent it from happening in the first place.

The Commenced to be constructed after September 1, 2019 is extremely vague, at what percent is "Commenced to be constructed"; area was cleared? 2X4 placed in the ground? Pillars constructed? Foundation and walls placed?

Any facility in the future or "commended to be constructed" will still need to fully consult with the Hupacasath First Nation before building, operating or growing starts. Failure to consult may lead to court actions against the ACRD and the proponent.

Sincerely,

Brandy Lauder
Natural Resource/ Councilor
Hupacasath First Nations



**ALBERNI-CLAYOQUOT
REGIONAL DISTRICT**

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3

Telephone (250) 720-2700 Fax (250) 723-1327

BYLAW RESPONSE SUMMARY

BYLAW NO: P1399 ACRD FILE NO.: RT19009 (Cannabis Production)

☐

Approval Recommended for Reasons
Outlined Below

☒

Interests Unaffected by Bylaw

☐

Approval Recommended Subject to
Conditions Below

☐

Approval NOT Recommended Due to
Reasons Outlined Below

Agency (please print): Huu-ay-aht First Nations

Name (please print): Rita Johnson

Signature: Rita Johnson

Title: Director; Lands & Natural Resources

Date: Sep. 19, 2019

From: [LCRB Cannabis Licensing LCRB:EX](#)
To: [Alex Dyer](#)
Cc: [LCRB Liquor Policy LCRB:EX](#)
Subject: RE: Bylaw P1399 Referral Request - Cannabis Production in the ACRD
Date: September 18, 2019 10:05:18 AM

Good morning,

Thank you for your email. Please note that the Production of Cannabis is regulated by Health Canada. At the Liquor and Cannabis Regulation Branch, we issue and regulate the Non-Medical Cannabis Retail Stores in the Province of British Columbia.

Thank you,

Application Intake/db

Liquor and Cannabis Regulation Branch

Please Note: Due to security concerns, and to keep your financial information private, the Liquor and Cannabis Regulation Branch will not accept electronically transmitted applications containing credit card information

From: LCRB Liquor Policy LCRB:EX
Sent: September 18, 2019 9:38 AM
To: LCRB Cannabis Licensing LCRB:EX <Cannabis.Licensing@gov.bc.ca>
Subject: FW: Bylaw P1399 Referral Request - Cannabis Production in the ACRD

From: Alex Dyer <adyer@acrd.bc.ca>
Sent: September 17, 2019 3:07 PM
To: Alex Dyer <adyer@acrd.bc.ca>
Cc: XT:lrg, Mike Alberni-Clyoquot Regional District EAO:IN <mirg@acrd.bc.ca>; Charity Hallberg Dodds <chdodds@acrd.bc.ca>; Amy Anaka <aanaka@acrd.bc.ca>; Sarah Holden <sholden@acrd.bc.ca>
Subject: Bylaw P1399 Referral Request - Cannabis Production in the ACRD

Good afternoon,

Please find attached the referral package and response form for Bylaw P1399. This zoning amendment bylaw will regulate the construction of new cement-based structures used for the production of medical and non-medical cannabis in the ACRD. The bylaw would also provide updated definitions for medical and non-medical cannabis production and introduce additional setbacks from residential and institutional zones as well as existing schools and parks.

Please review at your convenience and we would be grateful if you could provide a response by October 15th. If you have any questions or need any additional information, please do not hesitate to contact me directly at 250-720-2708 or adyer@acrd.bc.ca.

From: [Bailey, Annette FLNR:EX](#)
To: [Alex Dyer](#)
Subject: RE: Bylaw P1399 Referral Request - Cannabis Production in the ACRD
Date: October 8, 2019 8:55:32 AM
Attachments: [Policy Directive - Cannabis Feb 2019.pdf](#)

Hi Alex

Thank you for the referral package for Bylaw 1399.

I have attached the Cannabis Policy directive from the Province. The directive section 3.0 does include a comment about local governments.

If you have any questions or concerns please feel free to contact me.

Annette Bailey, RPBio
Authorizations Specialist
South Island Natural Resource District
4885 Cherry Creek Road
Port Alberni, BC V9Y 8E9
[250-731-3028](tel:250-731-3028)

From: Alex Dyer [mailto:adyer@acrd.bc.ca]
Sent: Tuesday, September 17, 2019 3:07 PM
To: Alex Dyer
Cc: XT:Irg, Mike Alberni-Clyoquot Regional District EAO:IN; Charity Hallberg Dodds; Amy Anaka; Sarah Holden
Subject: Bylaw P1399 Referral Request - Cannabis Production in the ACRD

Good afternoon,

Please find attached the referral package and response form for Bylaw P1399. This zoning amendment bylaw will regulate the construction of new cement-based structures used for the production of medical and non-medical cannabis in the ACRD. The bylaw would also provide updated definitions for medical and non-medical cannabis production and introduce additional setbacks from residential and institutional zones as well as existing schools and parks.

Please review at your convenience and we would be grateful if you could provide a response by October 15th. If you have any questions or need any additional information, please do not hesitate to contact me directly at 250-720-2708 or adyer@acrd.bc.ca.

Thank you,

Alex Dyer MCIP, RPP

DIRECTIVE

Cannabis Cultivation

1.0 **PURPOSE**

This Directive provides direction for applications to use Crown land for cannabis cultivation projects.

This directive does not apply to industrial hemp which falls under existing Agriculture policies.

2.0 **BACKGROUND**

On October 17, 2018 the federal [Cannabis Act](#) and [Regulations](#) came into effect legalizing the purchase and possession of cannabis for personal use.

Under the *Cannabis Act* the federal government regulates the production and possession of cannabis while the provinces are responsible for creating and overseeing retail and distribution systems.

The provincial Deputy Ministers Working Group on Cannabis Legalization and Regulation (DMWG) has provided strategic direction that cannabis cultivation should be eligible for Crown land disposition subject to FLNRORD policy.

Initially, a *Land Act* section 10.1 order was established imposing a temporary moratorium on cannabis applications for Crown land. The moratorium provided time for: DMWG to provide direction; discussions with Health Canada to take place; and initial demand and market conditions to be assessed. The moratorium was effective from November 17, 2018 to February 17, 2019.

Cannabis production and processing is regulated and licenced by Health Canada. The Health Canada licencing process is significant and focuses on ensuring the safety of the product, security of the site, and that persons in control of the company or with access to the product do not have criminal histories. Details on application requirements and processes can be found in the Health Canada [Application Guidebook](#).

Health Canada requires applicants to have an interest in the land for their proposed site prior to submitting their application for federal licencing. Provincial land authorization must precede the client submitting their federal application,

eliminating the possibility for a *Land Act* application to include Health Canada licensing as an eligibility requirement.

At the date of this directive, Health Canada is experiencing significant wait times for applications. With the exception of “micro” scale applications that have a fast track, current wait times for applications to be reviewed are 18-24 months. The Health Canada licencing process is substantial involving multiple steps and inspections before an applicant is licenced to sell cannabis.

Lands Branch is collaborating with Health Canada to identify opportunities for the overlap of processes or otherwise minimizing delays for clients, when possible.

3.0 PROCEDURES

Cannabis can be grown within and outside of the Agricultural Land Reserve (ALR). Local governments may prohibit non-soil based “bunker” facilities in the ALR within their jurisdictions but cannot prohibit soil based cultivation of cannabis in the ALR. For additional information on the cultivation of cannabis in the ALR please see [Cannabis Production in the ALR](#).

Cannabis cultivation applications will follow the Land Use Operational Policy Agriculture – Intensive. A section 17 *Land Act* conditional withdrawal is not required for cannabis applications.

3.1 APPLICATION FEES

Applications for cannabis cultivation will be charged the same application fees as applications under the Land Use Operational Policy Agriculture – Intensive.

3.2 APPLICATION REQUIREMENTS

The application package must include:

- a) the application form;
- b) a draft management plan
- c) maps of the proposed site; and,
- d) current photos of the proposed site.

3.3 LAND STATUS

The application for a tenure will require a status of the Crown land as per the standard application process.

3.4 PROJECT REVIEW

Applications will follow the normal referral and consultation processes.

3.5 ADVERTISING

Advertising is required.

3.6 FIELD INSPECTIONS

Field inspections will be undertaken where deemed necessary.

4.0 DISPOSITION PROCEDURES

4.1 FORM OF LAND ALLOCATION

Disposition will be by lease with a maximum term of 30 years.

Applications for overlapping land uses, similar or different purposes, will not be accepted.

4.2 ALLOCATION PROCESS

Crown land for cannabis cultivation is available by direct application.

Identified high potential sites may be disposed of by competitive process based on documented rationale.

4.3 FINANCIAL SECURITY

Security may be required in an amount deemed appropriate. The need for a security deposit, and the amount required, will depend on the nature of the proposed project.

4.4 RENTS

Rents for cannabis cultivation will be the same as specified for Agriculture - Intensive purposes in the Land Policy – Pricing - 5% of land value.

4.5 DILIGENT USE

Proponents who have acquired a Crown land lease for cannabis cultivation must demonstrate diligent use of the tenured area and obtain a Health Canada cultivation licence within five years of the issuance of the tenure and maintain the Health Canada cultivation licence or equivalent for the term of the tenure.

4.0 VARIANCE PROCEDURES

Variances to this policy must be completed in accordance with the Policy Variance Procedure.



Michelle Porter

Director, lands Branch

Ministry of Forests, Lands, Natural Resource Operations and Rural Development

February 17, 2019

Date

BYLAW RESPONSE SUMMARY

BYLAW NO: P1399 ACRD FILE NO.: RT19009 (Cannabis Production)

	Approval Recommended for Reasons Outlined Below	Interests Unaffected by Bylaw
✓	Approval Recommended Subject to Conditions Below	Approval NOT Recommended Due to Reasons Outlined Below

- Section 3 Definitions “medical cannabis production” and “non-medical cannabis production”. Separate definitions and permitted uses for medical and non-medical cannabis are not recommended. The Ministry of Agriculture recommends that only one definition for cannabis be used. The BC Cannabis Control and Licensing Act uses the following: “cannabis” *has the same meaning as in the Cannabis Act (Canada), subject to any prescribed modifications*. This definition would take into consideration any future changes to both federal and provincial legislation related to cannabis policy.
- Section 8 of the Agricultural Land Reserve Use Regulation (the ‘Regulation’) lists a series of cannabis production methods that if produced lawfully, may not be prohibited by local governments. Local governments do however, have the ability to prohibit cannabis production methods not listed in Section 8 of the Regulation (i.e. concrete bottomed cannabis production facilities or converting existing structures that do not grow crops, such as livestock buildings or hay storage sheds). Currently, the Bylaw prohibits cannabis production in purpose-built, cement-based structures but does not prohibit other cannabis production methods not listed in Section 8 of the Regulation such as converting a livestock building. If it is the desire for ACRD to prohibit all forms of cannabis production on properties in the ALR that are not listed in Section 8 of the Regulation, the Ministry suggests amending the definition of Medical Cannabis Production and Non-Medical Cannabis Production by explicitly stating that on properties within the ALR, cannabis production may only occur in accordance with Section 8 of the Regulation.
- Sections 101 – 103. If a property is located in the ALR, the recommended setback distances for Medical Marijuana Production Facilities as described in the Ministry of Agriculture’s Guide to Bylaw Development in Farming Areas (the ‘Guide’) are 15 – 30 metres from all lot lines, 150 metres from Parks and Schools and a 30 metre maximum setback from non-ALR Residential Uses with a buffer, or 60 metre maximum setback if a buffer is not employed. Given that the proposed 300 metre setback from existing schools and parks in the Bylaw is in excess of the 150 metre setback as recommended in the Guide, this is considered restrictive to agriculture. For your information, the guidelines for cannabis production are currently being updated by the Ministry.
- Be advised that as per ALC Information Bulletin 04: Cannabis Production in the ALR, a landowner/applicant is required to submit a Notice of Intent and/or a Use Application for the

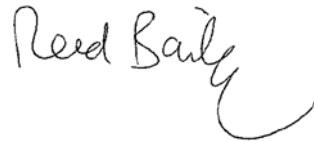
construction of a cannabis production facility if the total area from which the soil is removed or on which fill is placed exceeds 1,000 square metres.

- Effective May 8, 2019, Health Canada requires new applicants for licences to cultivate, process, or sell cannabis to have a fully constructed facility that meets all the requirements of the Cannabis Regulations at the time of their application, as well as satisfying other application criteria. The proposed “cannabis production” zone as described in the Bylaw could provide clarity around both federal and provincial requirements.
- A statement within the Bylaw clarifying that cannabis production will not be considered under the home based business allowance in the ALR is also a consideration.

Date: October 17, 2019



Jill Hatfield, P.Ag., Regional Agrologist
B.C. Ministry of Agriculture – Courtenay
Office: (250) 897-7518
E-mail: jill.hatfield@gov.bc.ca



Reed Bailey, Land Use Planner
B.C. Ministry of Agriculture
Phone: (778) 698-3455
Email: reed.bailey@gov.bc.ca



**ALBERNI-CLAYOQUOT
REGIONAL DISTRICT**

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3

Telephone (250) 720-2700 Fax (250) 723-1327

BYLAW RESPONSE SUMMARY

BYLAW NO: P1399 ACRD FILE NO.: RT19009 (Cannabis Production)

☐

Approval Recommended for Reasons
Outlined Below

☒

Interests Unaffected by Bylaw

☐

Approval Recommended Subject to
Conditions Below

☐

Approval NOT Recommended Due to
Reasons Outlined Below

Agency (please print): Ministry of Municipal Affairs and Housing

Name (please print): Yaheli Klein

Title: Policy Analyst

Signature: _____

Date: October 16, 2019



**ALBERNI-CLAYOQUOT
REGIONAL DISTRICT**

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3

Telephone (250) 720-2700 Fax (250) 723-1327

BYLAW RESPONSE SUMMARY

BYLAW NO: P1399 ACRD FILE NO.: RT19009 (Cannabis Production)

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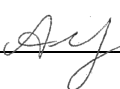
Approval NOT Recommended Due to
Reasons Outlined Below

Agency (please print): Ministry of Transportation and Infrastructure

Name (please print): A. Smirnova

Title: DS Tech

Signature:



Date: October 9-2019

From: [Aaron Rodgers](#)
To: [Alex Dyer](#)
Subject: RE: Referral Response - Bylaw 1399
Date: November 13, 2019 7:51:24 AM

Thanks Alex. No additional comments.

From: Alex Dyer [mailto:adyer@acrd.bc.ca]
Sent: November 12, 2019 5:43 PM
To: Aaron Rodgers <aaron@tofino.ca>
Subject: FW: Referral Response - Bylaw 1399

Hi Aaron,

Please see below email if you wish to provide any additional comments on behalf of Tofino.

Thanks, all the best.
Alex

From: Alex Dyer
Sent: November 12, 2019 5:28 PM
To: 'Peter Thicke' <pthicke@tofino.ca>
Subject: RE: Referral Response - Bylaw 1399

Hey Pete,

Thank you for your comments on ACRD Bylaw P1399, which introduces additional regulations for the production of medical and non-medical cannabis in the ACRD.

The ACRD Board has now amended Bylaw P1399 and given the bylaw second reading as amended. The amended Bylaw P1399 would:

- Update the definitions to restrict the production of cannabis within any non-soil based structure, building, prefabricated structure or container that is placed, sited, constructed, or commenced to be constructed, after September 1, 2019;
- Remove the minimum lot size for cannabis production on any property within the Agricultural Land Reserve; and
- Implement a 60m setback from any lot line for cannabis production on any property outside the Agricultural Land Reserve;

If you feel these amendments impact your initial comments to the bylaw referral, I wanted to give you an opportunity to provide updated comments on the bylaw as presented. I have attached the bylaw and staff report as well as a bylaw referral form if you are interested.

If you wish to submit any further comments, please do so by **Tuesday, November 19th**. Please let me know if you have any questions at all. Thank you,



ALBERNI-CLAYOQUOT REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni BC, CANADA V9Y 2E3

Telephone (250) 720-2700 Fax (250) 723-1327

BYLAW RESPONSE SUMMARY

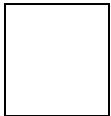
BYLAW NO: P1399 ACRD FILE NO.: RT19009 (Cannabis Production)



Approval Recommended for Reasons
Outlined Below



Interests Unaffected by Bylaw



Approval Recommended Subject to
Conditions Below



Approval NOT Recommended Due to
Reasons Outlined Below

District of Tofino interests are largely unaffected, but DoT staff request that any information related to cannabis production operations proposed for properties within the ACRD that share a boundary with the DoT or are within the Clayoquot Sound Area be referred to the District of Tofino.

Agency (please print): District of Tofino

Name (please print): Peter Thicke

Title: Planner 1

Signature: _____

Peter Thicke

Date: September 30, 2019

CANNABIS PRODUCTION:

Know the Difference

There are multiple forms of legal cannabis production in the Alberni-Clayoquot Regional District. Canadian cannabis legislation has undergone significant changes and each change included differences in regulation and enforcement.



Personal and Designated Registrations for Medical Cannabis Production – Legalized in 2001

- In July 2001, the Federal *Marihuana Medical Access Regulation (MMAR)* legislation came into effect, legalizing access to medical cannabis.
- Authorizations to produce a specified amount of medical cannabis for personal use were issued by Health Canada.
- The product could be grown by the individual holding the authorization or designated to someone else to grow it for them.
- Locations of these production facilities are not made public and **compliance with Local Government land use bylaws is not required.**
- Enforcement and compliance of facility operations and best practices is the **sole responsibility of Health Canada.**
- Local Governments have no jurisdiction to regulate these facilities.

Licensed Medical Cannabis Production – Legalized in 2014

- In April 2014, the Federal *Marihuana for Medical Purposes Regulation (MMPR)* legislation came into effect, replacing MMAR. In August 2016, the Federal *Access to Cannabis for Medical Purposes Regulation (ACMPR)* came into effect, as a result of constitutional challenge, and replaces MMPR.
- Individuals/companies wishing to produce medical cannabis could apply to Health Canada for a production licence.
- Production facility specifications are regulated through Health Canada.
- A building permit from the Local Government is required for construction of buildings.
- Although these types of production facilities are required to comply with Local Government land use bylaws (ie. permitted use, setbacks, lot coverage, lot size etc.), **the bylaws are superseded by Provincial regulation and legislation; including the Agricultural Land Commission.**
- Enforcement and compliance of facility operations and best practices is the responsibility of Health Canada.

Licensed Cannabis Production – Legalized in 2018

- In October 2018, the Federal *Cannabis Act* came into effect.
- Individuals/companies wishing to produce medical or non-medical cannabis could apply to Health Canada for a production licence.
- Production facility specifications are regulated through Health Canada.
- A building permit from the Local Government is required for construction of buildings.
- Although these types of production facilities are required to comply with Local Government land use bylaws (ie. permitted use, setbacks, lot coverage, lot size etc.), **the bylaws are superseded by Provincial regulation and legislation; including the Agricultural Land Commission.**
- Enforcement and compliance of facility operations and best practices is the responsibility of Health Canada.

From: **Eadie, Ross** <readie@winnipeg.ca>
Date: Thu, Oct 17, 2019 at 3:32 PM
Subject: Commercial and medical cannabis production
To: tourismsabrina@gmail.com <tourismsabrina@gmail.com>

Dear MS. Sabrina Zimmerman,

I am writing this message to you in regard to our telephone conversation about the topic in the subject line today, October 17, 2019. It is troubling to hear cannabis production is being considered to be located adjacent to residential property. In Winnipeg, we have had neighbourhood problems with medical cannabis production that gets into larger number of plants. However, we have not had problems with commercial cannabis production facilities located in industrial zones.

I like to remind people that at a certain level of cannabis grow operations, it becomes a production / manufacturing undertaking, not growing four plants for personal usage. With your current situation MS. Zimmerman, it is definitely light manufacturing just like a large cheese plant or mushroom greenhouse. Land use in Winnipeg indicates that these facilities need to be in a manufacturing zone such as an M1 or M2. Even though there is a commercial cannabis grow operation a block or two away from residential, property in my ward, it is actually in an established industrial zone that has existed for a hundred years. The cannabis facility I speak of is in the centre of Winnipeg near the railway tracks. It does not produce any smell that a person could tell outside of the plant, but nevertheless, it is in a properly zoned place unlike the stinky 200 and 300 medical cannabis plant houses which can also bring criminals around once identified.

I'm sure there are manufacturing/industrial zoned areas on Vancouver Island in or near cities and small towns that could handle a commercial cannabis production operation. The City of Winnipeg more than likely would not let a production plant open on residentially zoned land. I can't say for sure as commercial grow operations have not tried to pull that kind of a trick in Winnipeg. It is interesting MS Zimmerman that there are broken down unused lumber mills that could be used to create jobs by converting into cannabis production plants while not bothering residents in your part of the world. You can tell whomever you want that this city councillor does not support offending residential land use designated properties rights. There are strong reasons for proper land use laws. In the prairies there are enough sizable farms to grow fifty acres of cannabis that would not be anywhere near the next farm house. On the Island, there must be

much smaller farms that could bring problems if located near cannabis growing fields. Good luck in steering the commercial cannabis operations to properly zoned land.

Respectfully,

Ross Eadie

City Councillor, Mynarski Ward, Winnipeg

Member, SPC On Protection, Community Services and Parks

Member, Lord Selkirk West Kildonan Community Committee

Chairperson/President, Selkirk Avenue BIZ

Telephone: 204-986-5188

Cell phone: 204-391-6259

E-mail: ReadIE@winnipeg.ca

Ross listens!

To be read on behalf of Kirk McGriffin, 7671 Beaver Creek Road.

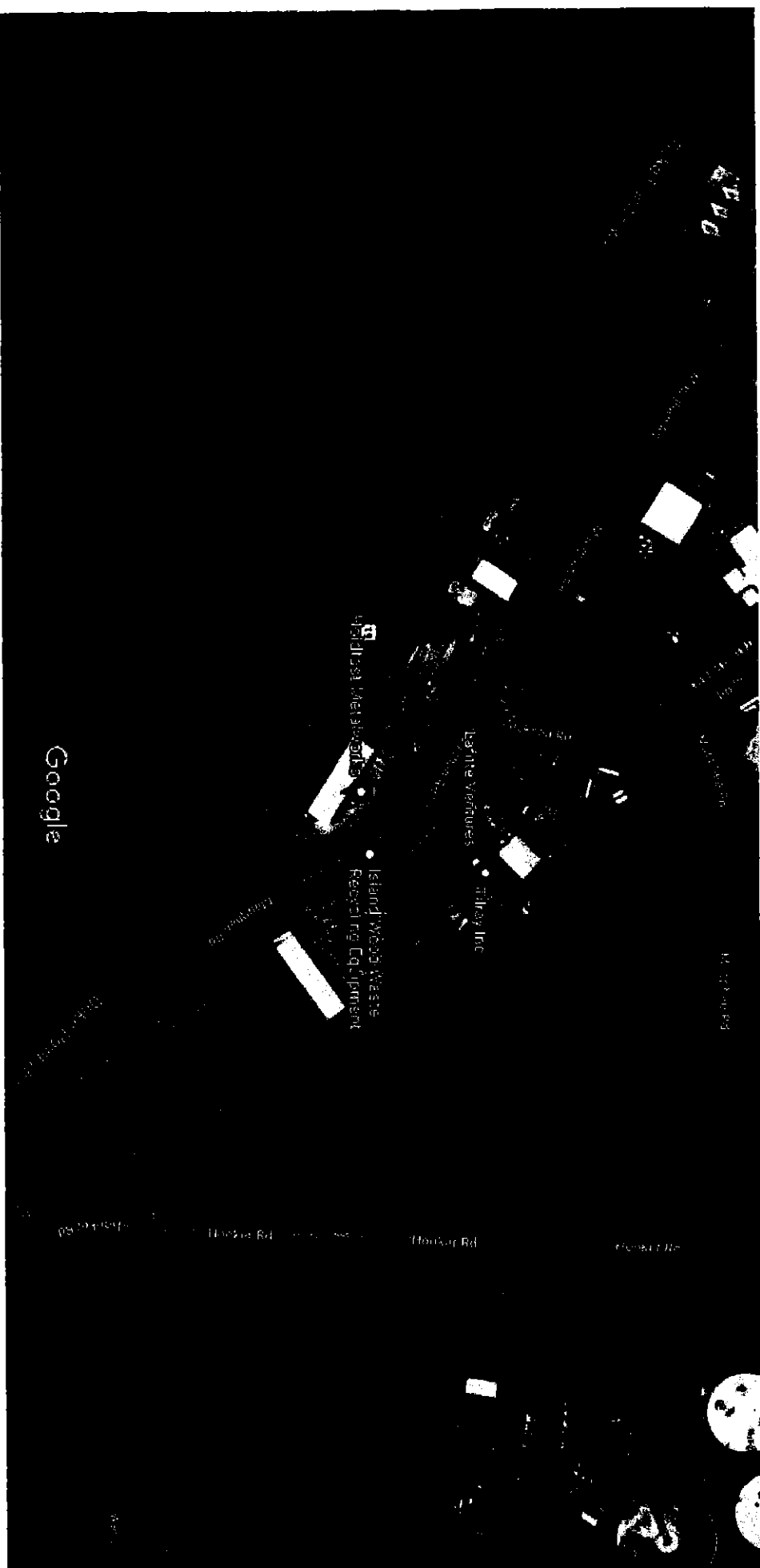
I am not able to make it tonight as I am working. I wanted to say that John McNabb and the whole ACRD has really messed this up. Why has the ACRD hidden details of this proposed grow operation from neighbors? I want to ask for Mr. McNabb's immediate resignation from his position as director of beaver creek district for not being up front and truthful to his constituents and for his lack of empathy for the Kackaamin Centre, and their staff and clients. Thank you.

Google Maps 7827 Beaver Creek Rd



Imagery ©2018 DigitalGlobe, Map data ©2018 Google 50 m

Google Maps tilray nanaimo

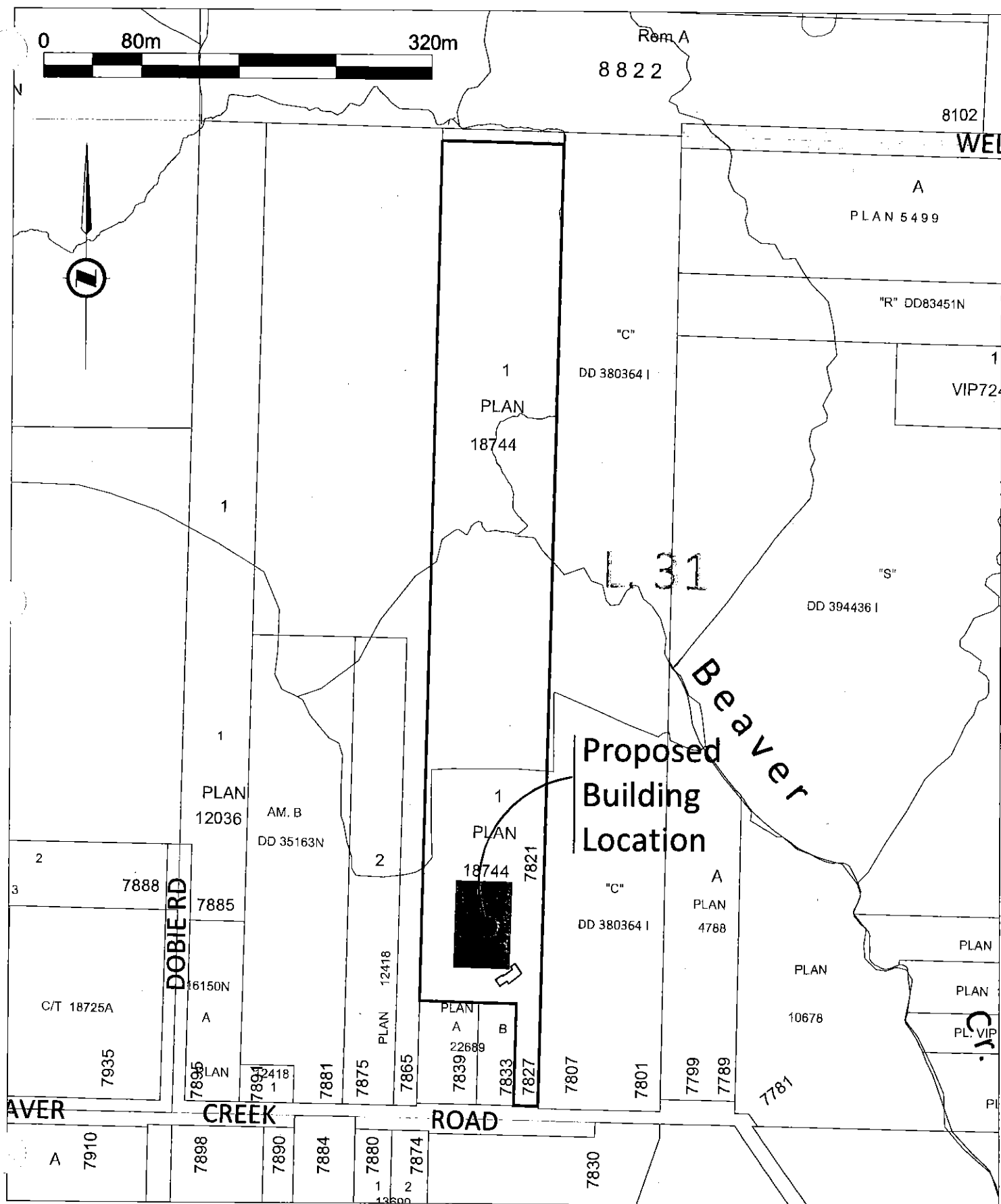


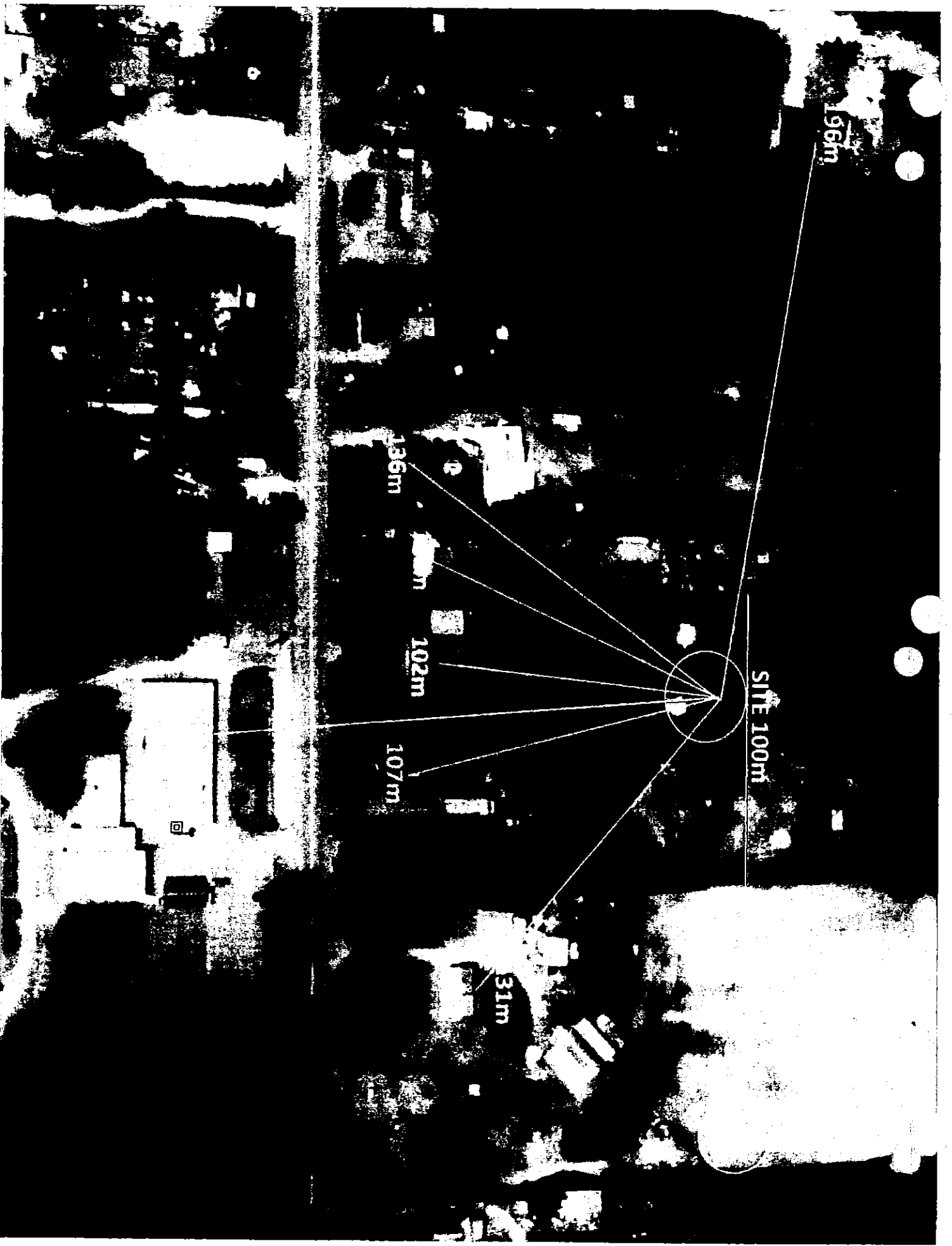
Imagery ©2018 Google, Map data ©2018 Google 50 m

Please accept the enclosed package as our group submission opposing the request for a non-farm use exemption for 7827 Beaver Creek Road in Port Alberni, for the purpose of constructing a medical marijuana production facility. We are a group of neighbours that live in close proximity to the site of this proposal. We have divided this package into 7 sections, each of which outlines a different rationale for our opposition. Each section contains a cover page, as well as articles, both scholarly and gleaned from news outlets, government websites, etc. that elaborate our concerns in greater detail. In an effort to be detailed as well as concise we have highlighted relevant sections and passages whenever possible for your consideration. The sections contained within the package include:

1. Petitions
2. Community Concerns Regarding Air Quality
3. Community Concerns Regarding Fire Hazards
4. Kackaamin
5. Community Concerns Regarding Long Term Economic Impact/Economic Competition
6. Concerns Regarding our Local Community
7. Community Concerns Related to the Environment

Submitted by CHOKES and Kackaamin





Petition

Petition

We are grateful to the members of the community of Port Alberni for their support of our opposition to this proposal. Between December of 2018 to February of 2019 we have collected over 500 signatures of local residents who share our concerns about the chosen location of this facility and do not support the granting of the developer's requested exemption. In fact it is difficult to find someone who is familiar with the details of this proposal that actually supports it. While collecting signatures, community members spoke of a variety of concerns that this proposed facility presents. We have attempted to categorize and elaborate on these concerns throughout the content of this binder.

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

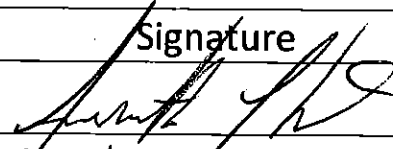
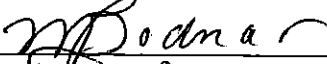
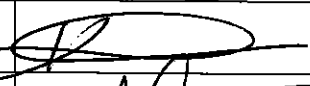
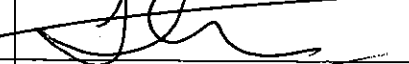
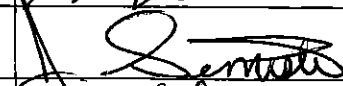
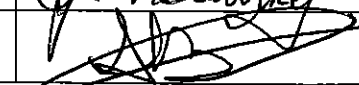
To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

We believe:

- Farmland in the Agricultural Land Reserve represents only 5% of our land base. There is an urgent need to protect and preserve this land in the interests of food security.
- The current moratorium on cement-based cannabis production facilities within the ALR should be honoured.
- Industrial cannabis production should not be permitted in close proximity to residential homes and neighbourhoods.
- Industrial cannabis production should not be permitted in close proximity to a government funded addictions treatment centre (Kackaamin Family Development centre is located across the street from the proposed facility at 7830 Beaver Creek Road).

Your petitioners respectfully request that the owners of 7827 Beaver Creek Road not be granted the special non-farming use permit that they have requested, in order to construct a 60 000 square foot industrial medical marijuana production facility.

Dated _____ day of _____, 20__

Name (Please Print)	Address (Please Print)	Signature
Annette Clement	5657 Chapman	
Brad Asher	4720 Dayton	
Darrell Ross Jr Maureen Bodnar	100-4571 Pemberton Rd Port Alberni	
Maureen Bodnar	Port Alberni	
Vicki Fader	4158 Hollywood PA	
Kaitlyn Johnston	3764 Morganscree	
TRACY CHESTER	7443 BLUE RD PA	
Robin White	4050 Steele Ave	
Justin Simister	4555 Arrowsmith RD	
Neil Amos	5088 Indian Ave	
Y. McCarthy	4863 Elizabeth	
Shawn Bodnar	4053 Campton Rd	

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

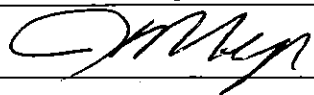
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Dated _____ day of _____, 20__

Name (Please Print)	Address (Please Print)	Signature
J. Meyer	2936 Anderson Ave	
Bruce Krupak	4029 Kendall Ave	B. Krupak

[illegible]

7827 Beaver Creek Rd.

To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

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[illegible]

7827 Beaver Creek Rd.

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Dated 20 day of Jan, 2019

[illegible]

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

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Dated _____ day of _____, 20__

Name (Please Print)	Address (Please Print)	Signature
BRAD REYNOLDS	7500 BAINBRIDGE	Brad Reynolds
DONNA REYNOLDS	7500 Bainbridge Rd	Donna Reynolds
TRAVIS REYNOLDS	7500 Bainbridge Rd	Travis Reynolds
Linda Thompson	7035 Bainbridge	Linda Thompson

To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

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Dated 4 day of January, 2019

[illegible]

[illegible]

[illegible]

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

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Dated 07 day of Jan, 2019

Name (Please Print)	Address (Please Print)	Signature
Stan Landsvik	8107 Wellham rd.	Stan Landsvik
Tina Landsvik	8107 Wellham Rd	T Landsvik
Erik Landsvik	8107 Wellham Rd	Erik Landsvik
Jim Plaunt	7990 Cameron Rd	J Plaunt
T Plaunt	7990 Cameron Rd	T Plaunt
Kyle Laminski	7990 Cameron Rd.	K Laminski

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

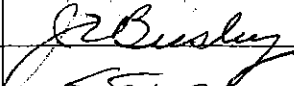
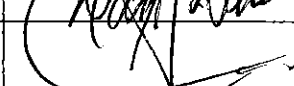
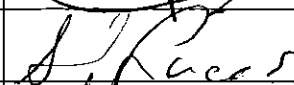
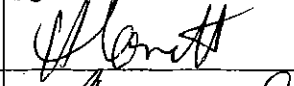
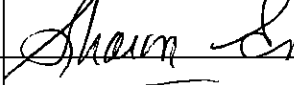
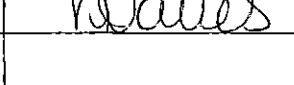
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Dated 16 day of Feb, 2019

Name (Please Print)	Address (Please Print)	Signature
J. G. Busby	7700 McKenzie Rd.	
S. Tuson	3854 4th Ave.	
D. Ritter	16-6225 Loggin Rd	
Kyle Thomson	4775 Bute St.	
A. Lucas R.	4086 2th Ave	
H. Zanette	659 Stratford St.	
SHARON LENTNER Sharon Lentner	5804 14th Ave Port A.	
Samia Samra	4549 Beaver Creek St	
Nadia Davis	2632 4th Ave.	

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

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Dated 3rd day of Jan, 2019

Name (Please Print)	Address (Please Print)	Signature
Tammy Martinez	2786 7th Ave	T Martinez
Renée Tavares	6073 River Rd.	Renée Tavares
Danella Stanton	4132 Clegg Cres. N.	Danella Stanton
Donna Lodge	4567 Beale St. P.A.	Donna Lodge
Michelle Nordmann	2786 7th Ave (Bsmr)	M. Nordmann
Shannon Zimmerman	2188 Cameron Dr ^{Port Alberni} BC V9Y 1B2	Shannon Zimmerman
VERA LUCAS	4664 Bute Rd ^{PORT ALBERNI} V9Y 3M7	Vera L. Lucas
JOHN CRAIG	4594 Alwyn ^{Port Alberni}	John Craig
CARLY CRAIG	4594 Alwyn P.A.	Carly Craig
DAVID ZIVAR	4302 Beale St. P.A.	David Zivar
Gord Byers	5621 Chapman Rd PA	G Byers
Debbie Jensen	5652 Chapman Rd P.A.	Debbie Jensen

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

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Dated _____ day of _____, 20____

Name (Please Print)	Address (Please Print)	Signature
Alfred Millar	2613 9 TH AVE	Alfred Millar
Edward Fred	1005 Trenchis Place	Edward Fred
Laura Carlos	5700 Pierce Rd.	Laura Carlos
Taylor Thomson	4355 Glenside Rd	Taylor Thomson
Ken Klassen	1240 Spider Lake Rd	Ken Klassen
PHOEBE ARCHAMON	1240 SPIDER LAKE RD	Phoebe Archamon
Jennife Cleland	4542 Mortenst	Jennife Cleland
Jordan Wyatt	44-4110 Kendall ave	Jordan Wyatt
Krisch Brecker	44-4110 Kendall ave	Krisch Brecker
Erin Cleland	3911 11 TH AVE	Erin Cleland
John Clement Robertson	5657 Chapman	John Clement Robertson
Phil A. [unclear]	5669 Chapman Rd	Phil A. [unclear]

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Glen Vegen @ show

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

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Dated 2 day of Feb, 2019

Name (Please Print)	Address (Please Print)	Signature
XOZ CHAPMAN	2354 Anderson ^{WPA}	X Chapman
A. Puncar	6150 Westport Blvd	A. Puncar
Mike Stine	5275 Edland Rd Rd.	Mike Stine
Lynn Dyer	9572 Stirling Arms Cres	Lynn Dyer
Cheryl McLean	3748 Meades Dr	Cheryl McLean
R Jerepocki	908791 Bayne/Bryson Rd	R Jerepocki
Will John	7474 Necton Rd	H. J. JABS
Thomas Dyer	6982 Beaver Creek	Tom Dyer
Dorel Moen	6880 Desmond Rd	Dorel Moen
L DASHCHUK	3150 18 th AVE	L DASHCHUK
R DASHCHUK	3150 18 th AVE	R DASHCHUK
~~Brenda Whalen~~	~~5691 Pierce Road~~	~~B Whalen~~

File

Brenda Whalen

5691 Pierce Road

B Whalen

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

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Dated _____ day of _____, 20____

Name (Please Print)	Address (Please Print)	Signature
Catherine Smyly	7895 Beaver Crk Rd	<i>C. Smyly</i>
MICHAEL Smyly	7895 BEAVER CR. Rd	<i>Michael Smyly</i>
Byron Pugh	7888 Dobie Rd.	<i>Byron Pugh</i>
Kaley Pugh	7888 Dobie Road	<i>Kaley Pugh</i>
Tracy Bekker	7885 Dobie Rd	<i>Tracy Bekker</i>
DENNIS BEKKER	7885 DOBIE RD	<i>Dennis Bekker</i>
PAT STANFORTH	7833 WARDROP	<i>Pat Stanforth</i>
BARB DAWES	7891 BEAVER CRK RD	<i>Barb Dawes</i>
Darlene Teropacki	7875 Beaver Creek Rd	<i>Darlene Teropacki</i>
Tom DAWES	7891 BEAVER CREEK	<i>Tom Dawes</i>
Peggy Voysey	7874 Beaver Rd	<i>P Voysey</i>
Helen PARKES	7857 CAMBRIA RD	<i>Helen Parkes</i>
Joy Parkes	7857 CAMBRIA RD	<i>Joy Parkes</i>
Audrey Marsh	6579 Fayette Rd	<i>Audrey Marsh</i>

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

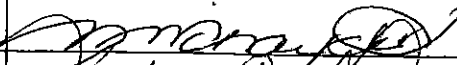
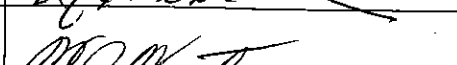
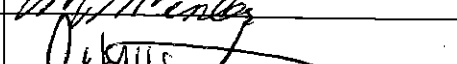
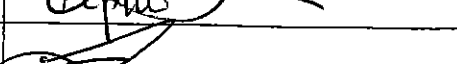
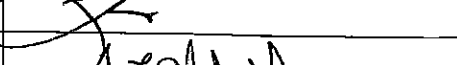
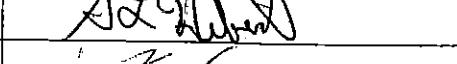
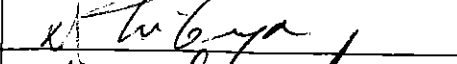
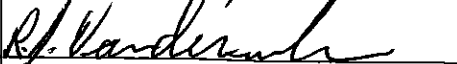
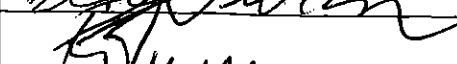
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Dated _____ day of _____, 20__

Name (Please Print)	Address (Please Print)	Signature
No-Dean Mihaychuk	Cherry Creek	
MAL TRELVIK	2974 7TH AVE.	
DOUG RICHMOND	5452 HASLALL DR	
W.J. WINTER	4173 PARKINSON PL PORT ALBERNI BC	
Cindy Shewchuk	3975 DUNSMUIR ST.	
TERRY RAI	3532 Walmer Road	
STAN HERBERT	#5-5608 STRATHCONA	
Derek McGregor	5525 Maple ST.	
BOB VANDERMOLLEN	2851-A BRANDON AVE P.A. CHERRY CRK.	
STEVE AGLAND	6115 CHASE DR. BEAVER CK	
RED WILLIAMS	10398 BISHOP DRIVE	
BOB TURNER	9521 TABER RD	
RAY NICKLIN	5374 OTTER PL.	
BRUCE MACDONALD	3909 SHAUGHNESSY	

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

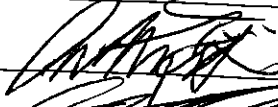
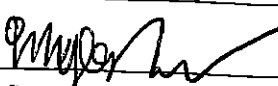
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Dated _____ day of _____, 20____

Name (Please Print)	Address (Please Print)	Signature
Sharon Reid	230 Jensen Ave W, Parksville	
J Dianne Verhaeghe	5270 Indian Ave.	J.V.
Neelam Lal	4118 Bunde Street	N. Lal
ANTHONY FITTLE	4950 STRATHERN ST	
Janice Spence	5120 Gertrude St	
Lyndey Beardsmore	4050 Steele Avenue	Lyndey Beardsmore
Randi Patterson	4244 Michigan	Randi Patterson
Alessandra Jones	4092 9 th Ave.	Alessandra Jones
Nicole Johnson	2950 11 th Ave	Nicole J.
Katie Hopwood	2598 16 th Ave	Katie Hopwood
Myles MacLean	5330 Haslam Drive	
Leanne Tilley	3904 McBride St	Leanne Tilley

JERRI L GARCIA

6827 CHERRY CREEK P.A.
Find us on Facebook, Big Box Agriculture Next Door!!

Aaron Sheare

4180 Craig

Aaron Sheare

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

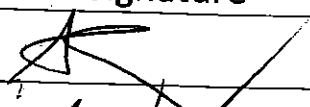
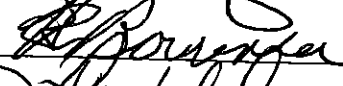
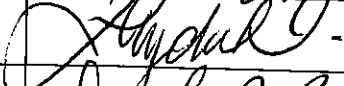
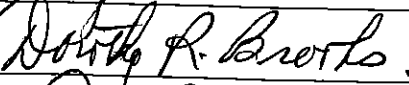
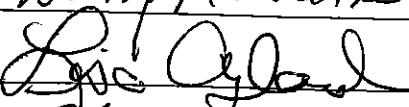
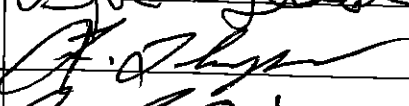
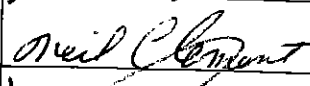
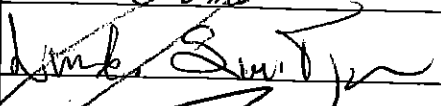
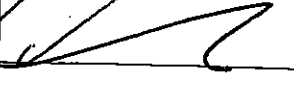
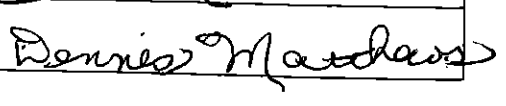
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Your petitioners respectfully request that the owners of 7827 Beaver Creek Road not be granted the special non-farming use permit that they have requested, in order to construct a 60 000 square foot industrial medical marijuana production facility.

Dated _____ day of _____, 20____

Name (Please Print)	Address (Please Print)	Signature
Anita Kurucz	10080 Highvalley	
Peter Kurucz	" " "	
SAM BROWNLEE	4005 Bunker St Port Alberni	
LISA NYDAHL	7781 Beaver Creek Rd	
DOROTHY BROOKS	7537 THOMPSON RD.	
Lisa Ogilvie	8000 BURNBANK RD	
FRED THOMPSON	0265 MESSIER Rd	
MARK DESNOYER	8051 CAMERON Rd	
NEIL CLEMENT	7641 BEAVER CREEK RD	
Linda Switzer	5667 Chapman Rd.	
DAVID EDWARDS	5674 Chapman Rd	
Dennis Matthews	5612 Beaver Creek Rd	

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

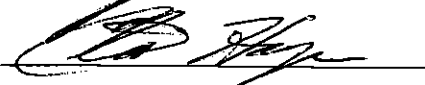
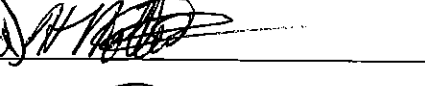
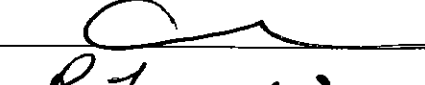
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Dated 5th day of February, 2019

Name (Please Print)	Address (Please Print)	Signature
Daniel ENGEL	4374 BRUCE ST Port Alberni	
Chris Harper	5259 Gertrude St.	
Joanne Charlton	3825 Keeha drive	Joanne Charlton
COLIN BAILEY	3836 CHINA CK	PLBailey
Elizabeth Engel	4374 Bruce St	
Heather Mallet	Bell Rd (Previous Walker Rd)	
Christine Milligan	6483 Beaver Creek Rd.	
Rebecca Terepocki	90 8791 Bayne Rd B Creek	R Terepocki
Jane Terepocki	"	"
Harley Wells	5713 Pierce Rd	Harley Wells
Kerith Pater	5759 Pierce rd	Kerith Pater
Sherril Lander	6006 Ahahswinis Dr	Sherril Lander

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

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Dated 8 day of January, 2019

Name (Please Print)	Address (Please Print)	Signature
Mike Stini	5275 Edland Rd. PA	Mike Stini
Wouc Sam	1006 Macmillan Pl PA	Wouc Sam
A. Frazer	7540 McKenzie Rd.	A. Frazer
D. Moen	6880 DESMOND RD	D. Moen
Velma Schwarz	4207 Michigan Rd.	Velma Schwarz
Beth Koschew	Port Alberni	Beth Koschew
Kim McKenzie	Port Alberni	Kim McKenzie
J. Anderson	~~Port Alberni~~ Port Alberni	J. Anderson
Rick Hebert	2696 Port Alberni Hwy	Rick Hebert
MATTHEW LUCAS	5540 Campbell Rd	Matthew Lucas
Kate Roney	5555 Hector PA	Kate Roney
Stephanie Robertson	Port Alberni, Pierce Rd.	Stephanie Robertson

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

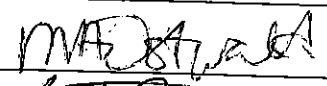
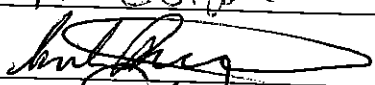
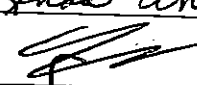
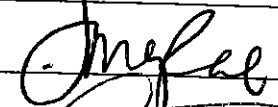
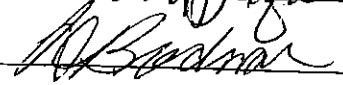
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Dated 29 day of December, 2018

Name (Please Print)	Address (Please Print)	Signature
Anne Ostwald	4170 Johnston	
Sarah Provencal	Port Alberni	
Judy White	Port Alberni	
LINDA ANDERSON	P. Alberni	Linda Anderson
Brandon Chase	2887 1st Ave P.A	
Shaylene McFee	3531 32nd Ave PA	
Connie Pezdek	PT Alberni	
Lesley Fox	4453 Lathorn Rd PA	
Maggie Paquet	5232 Margaret P.A	
Dianne Bodnar	6870 Chung Cr Rd	
T. Peter	PORT ALBERNI	T.P.
Alana Brown	Port Alberni	Alana Brown

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

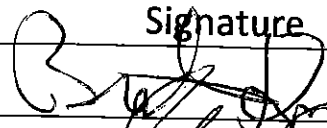
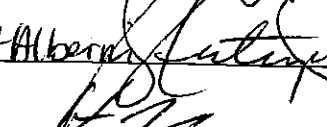
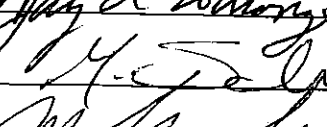
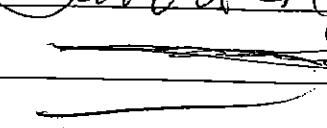
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Dated 10 day of Jan, 2019

Name (Please Print)	Address (Please Print)	Signature
BRENT KNOX	4205 BURDE ST.	
~~Brenda Nestenquattaw~~	~~12832 Roseborough Rd~~	~~Alberni~~
Helen Berkeley	5711 Strathcona St	
Jacquie Swann	4361 Batty Rd.	Jacquie Swann
ALICE CAHOWELL	6210 WALKER	Alice Cahowell
Mary Anne Tommangan	4997 Centre St.	Mary Anne Tommangan
MARVIN SCHULZ	8785 BEAVER CREEK	
M. Moulumbi	Gilman St	M. Moulumbi
~~Shary Stevens~~	5601 Savenga Rd	Shary Stevens
Jania Heger	2763 6th Ave	Jania Heger
Robert Leger	2763 6th Ave	
Angela Giano	5595 Heeter Rd.	

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Dated 19 day of January 2019

Name (Please Print)	Address (Please Print)	Signature
PEGGY NORBE	4437 ARROWSMITH	E.M. Norbe
Shirley Clouts	3902 Dalsenue	S.M. Clouts
CHRISTIA SCHIFFERS	5692 LUCKHURST	C. Schiffrs
Dorothy Patterson	5559 Woodland Cres.	Star
Rita Mayo	5420 Dundalk Ave N	R. Mayo
JUDY LAROCHELLE	5485 Woodland C.R.E.	J. Larochelle
MAAC LAROCHELLE	5485 WOODLAND CRES.	M. Larochelle
GERRY BEST	3859 Wood St. E.	G. Best
JOSEPHINE HILMO	6610 BEAVER CK. RD	J. Hilmo
LORNE HILMO	6610 BEAVER CK. RD	Lorne Hilmo
Betty Lavertu	4353 Southgate Rd	B. Lavertu
Lynn Rolston	2426 11th AVE	L. Rolston

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

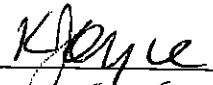
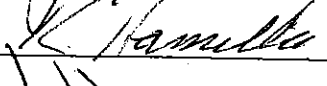
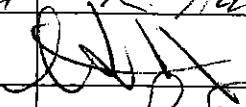
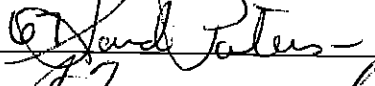
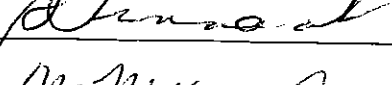
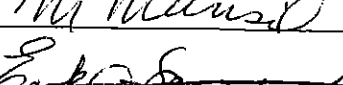
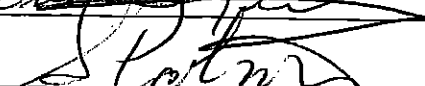
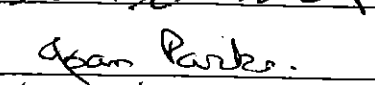
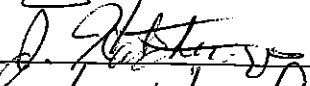
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Dated 11 day of January 2019

Name (Please Print)	Address (Please Print)	Signature
TONY JOYCE	2442 11th Ave	
Kathleen Joyce	2442 11 TH Avenue	
KARIN HAMILTON	2466 11 Avenue	
Cecil S. Hamilton	" "	
Jandi Pater	6740 Cherry Creek Rd	
Sandra Tremant	3807 Wallace St	
Maxine Munsi	3551 16 th Ave	
ERIKA SAWYER	2806 11 th Ave	
Shannon Palmateer	3205 th Ave	
Joan Parks	5014 South St	
JOAN HUTCHINSON	4253 BARSON RD	
Katherine Lekich	5480 Haslam Dr.	

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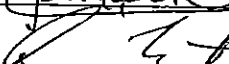
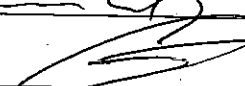
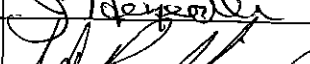
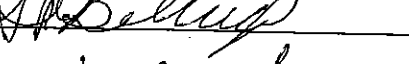
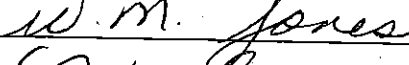
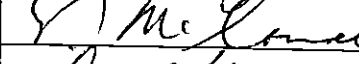
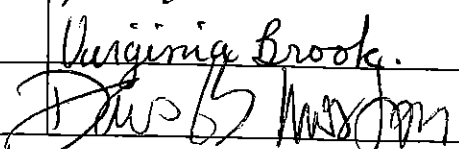
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Dated 27 day of December 2018

Name (Please Print)	Address (Please Print)	Signature
JASON P. CANTIN	4775 Butte St.	
Debbie Johnson	Maitland St. P.A.	
D. Lutz	Port Alberni	
Kimi CHASE	2650 2nd Ave -	
VAL POWER	4747 MARGARET ST.	
Joslyn Meyerdli	Port Alberni	
Shannon Billings	Port Alberni	
Wendy Jones	Port Alberni	
Vi McConnell	Port Alberni	
DELE McCONNELL	Port Alberni	
Virginia Brook	Port Alberni	
DAVID G. MARSH	6000 DIAMOND RD, PA	

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KEN BRADLEY	7567 THOMPSON RD	Ken Bradley
KEN ADAM	7567 THOMPSON RD	Ken Adam
Walter Thomas	1006 Magrath Place	Walter Thomas
PAULA LUCAS	7830 Beaver creek rd	Paula Lucas
Scott Wimpney	7830 Beaver creek rd	Scott Wimpney
Kathryn Seitcher	7830 Beaver Creek	Kathryn A Seitcher
J.C. LUCAS	" "	J.C. Lucas
A.G. Russell	7830 Beaver Creek	A.G. Russell
Ryan Heid	3754 16th Ave	Ryan Heid
Alan Douglas	3754 Anderson Ave P.A.	Alan Douglas
Emerald Titian	1005 Iwachis pl, Dist Alberni BC	Emerald Titian
John. Swift	7830 Beaver Creek	John Swift

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Dated 8 day of Dec, 2018

Name (Please Print)	Address (Please Print)	Signature
Nicole Steinbach	7620 Bainbridge	<i>Nicole Steinbach</i>
Fred Boyko	8102 Wellham	<i>Fred Boyko</i>
Dorothy Brooks	7531 THOMPSON	DOROTHY BROOKS
Karlene McMahon	8102 Wellham Rd	<i>Karlene McMahon</i>
GREG HILPOTT	7073 BEAVER C. RD.	<i>Greg Hilpott</i>
Kaye Crotchley	7567 THOMPSON	<i>K. Crotchley</i>
Carolyn Scott	5730 Strick Rd	<i>Carolyn Scott</i>
Shannon Crotchley	7567 Thompson Rd	<i>Shannon Crotchley</i>
Brian Crozza	6395 DONAHUE RD.	<i>Brian Crozza</i>
Aimey Hoskin	8616 Bland Rd	<i>Aimey Hoskin</i>
Tom Wilkinson	8616 Bland Rd	<i>Tom Wilkinson</i>
Sabrina Anderson.	8209 Miller Road	<i>S. Anderson</i>

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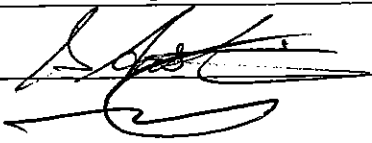
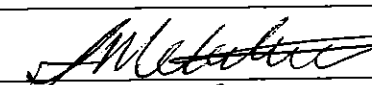
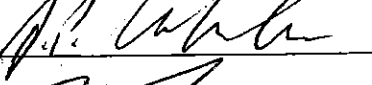
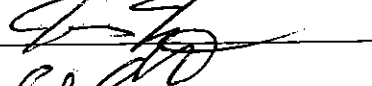
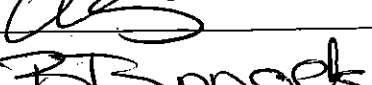
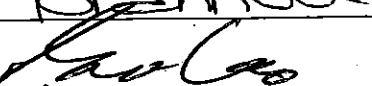
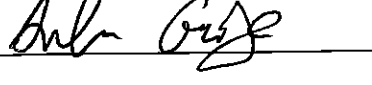
To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

We believe:

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Your petitioners respectfully request that the owners of 7827 Beaver Creek Road not be granted the special non-farming use permit that they have requested, in order to construct a 60 000 square foot industrial medical marijuana production facility.

Dated _____ day of _____, 20____

Name (Please Print)	Address (Please Print)	Signature
Shawn Austin	3536 Veldham RD	
Travis Goodyear	3755 15th Ave	
Lynn Mellenstrand	3327 Russell St	
DAVID COLYN	4643 CLENSIDE CRES	
Andy Vandertee	5626 Grandview RD.	
Jim Nizoren	6415 Smith Rd.	
Alex Schriener	4636 Patterson Pl.	
Brittney Tarnock	7450 Hector rd.	
George Cocco	8600 FABER RD.	
Ray ASTELSKY	4000 STAMP AVE.	
Chad Plouffe	4322 Virginia rd	
Andrew Gerga	5999 Waden a rd	

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Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

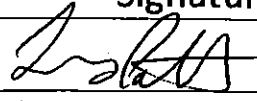
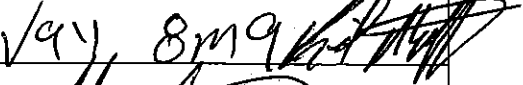
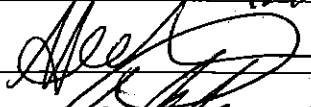
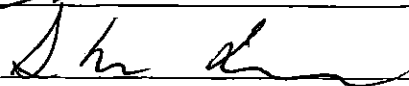
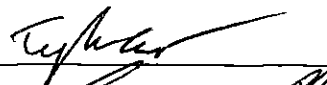
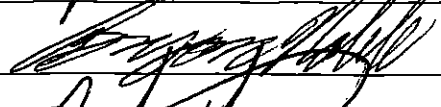
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Your petitioners respectfully request that the owners of 7827 Beaver Creek Road not be granted the special non-farming use permit that they have requested, in order to construct a 60 000 square foot industrial medical marijuana production facility.

Dated _____ day of _____, 20__

Name (Please Print)	Address (Please Print)	Signature
LONNY POTTER	4648 PATERSON BL	
KIRK MCGIFFIN	4671 BEAVER CREEK RD	
Natasha Hedman	7987 Beaver creek	
PAUL HOWDLEY	3963 5th AVE	
P. PVT	260 FRANKLIN RD	
Shaun Tedesco	3731 South Morgan	
Tyler Guraluk	3995 South Morgan	
Bryan Noble	2806 5th Ave	
DEREK STEVENS	7400 THOMPSON RD	
Ann McCall	5900 AUBURN	
CLAYTON BUJOSZAK	6456 WALKER	
CLAYTON SAWYER	5388 FRASER AVE	

Find us on Facebook, Big Box Agriculture Next Door!!

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

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Your petitioners respectfully request that the owners of 7827 Beaver Creek Road not be granted the special non-farming use permit that they have requested, in order to construct a 60 000 square foot industrial medical marijuana production facility.

Dated 15 day of 01, 2019

Name (Please Print)	Address (Please Print)	Signature
Wendy Edwards	7865 Beaver Creek Rd Port Alberni V9Y 8A5	W Edwards
Gerald S. G. Williams	104/4777 South Gate Rd. V9Y 8J3	Gerald S. Williams
Heather Drinkwater	#9-6095 LUGRIN RD. P.A.	Heather Drinkwater
Len Van Giest	#30 4837 Ross St P.A.	L. Van Giest
Elizabeth Maher	108-4777 South Gate Rd Port A. V9Y 8J3	Elizabeth Maher
ANNE McDONALD	585 PLEASANT Rd PORT ALBERNI V9Y 7B3	Anne McDonald
Beverly Nielsen	#209-4777 South Gate Rd Port Alberni - B.C. V9Y 8J3	Beverly Nielsen
Susanne Granneman	#210-4777 South Gate Rd PORT ALBERNI BC V9Y 8J3	Susanne Granneman
~~Anna~~ Calden Edwards	6230 Beaver Creek Rd. Port Alberni B.C.	A. Edwards
	5545 Swallow Dr	CE
Jenna Thompson	5231 Heaslip Rd	Jenna Thompson
Linda D. Browning	#203 4777 South Gate Rd.	Linda D. Browning

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

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Dated 17 day of 01, 2019

Name (Please Print)	Address (Please Print)	Signature
DONNA GARDNER	4303 GEORGE ST	<i>Donna Gardner</i>
Katrina Kiefer	1150 Englishman's River Rd	<i>Katrina Kiefer</i>
Gyula Komjati	3518 9 th Ave Port Alberni	<i>Gyula Komjati</i>
Irene Robinson	1026 Heagvis Place	<i>Irene Robinson</i>
Robin Edwards	Port Alberni V9Y 8N3 7865 Beaver Creek Rd	<i>Robin Edwards</i>
James Edwards	5545 Swallow Dr Port Alberni BC V9Y 7H1	<i>James Edwards</i>
IRENE BILTON	622 Ferguson Rd. Port Alberni B.C.	<i>Irene Bilton</i>
DANIEL LACROIX	205-4777 SOUTH BAY BC	<i>DANIEL LACROIX</i>
Blake Edwards	5545 Swallow Dr Port Alberni	<i>Blake Edwards</i>
Malcolm Kidd	1430 Grafton	<i>Malcolm Kidd</i>
Andrew Kidd	1430 Grafton Ave	<i>Andrew Kidd</i>
Alexis Van Houtte	1910 Bay Street	<i>Alexis Van Houtte</i>

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

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Dated 8 day of Dec., 2018

Name (Please Print)	Address (Please Print)	Signature
Pat Bonchard	3728 ^{OH} Lane, P.A.	P. Bonchard.
Andrew Jensen	3728 6th Ave, P.A.	Andrew Jensen
EVELYN STEINBACH	3839 (414) 8 th AVE. P.A.	E. Steinbach
Cathie Waddington	WOODLAND 5405 Crescent East P.A.	C. Waddington
Jack Waddington	5405 WOODLAND CRES EAST	Jack Waddington
Ella Phillips	3883 10 th AVE, #218	Ella Phillips
Halle Phillips	3578 Estevan Dr	Halle Phillips
Sandra McHenry	6366 LAMARQUE	Sandra McHenry
RAY NASS	4119 CLEGG CR.	Ray Nass
Fife Martyn	2653 Anderson Ave.	Fife Martyn
Kim Sexton	2653 Anderson Ave.	Kim Sexton
Rosina Galbraith	5168 Gertrude St.	R. Galbraith

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

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Dated _____ day of _____, 20____

Name (Please Print)	Address (Please Print)	Signature
JOHN LA ROSE	7860 CAMERON ROAD	John LaRose
Tom McBookie	Beaver Creek Rd	Tom McBookie
Sarah LaRose	Beaver Creek Rd	Sarah LaRose
MYLES MILLER	Beaver Creek Rd	Myles Miller
Jessie McBookie	7860 CAMERON RD	Jessie McBookie
Jennifer LaRose	7860 CAMERON RD	Jennifer LaRose
Dora Ryles	Beaver Creek Rd	Dora Ryles
Shelley Christ	Beaver Creek Rd.	Shelley Christ
Jim Anaker	BEAVER CREEK RD	Jim Anaker
JEN HERBERT	7734 BEAVER CREEK RD.	Jen Herbert
PETE HERBERT	7734 BEAVER CREEK RD.	Pete Herbert
Lisa Nydahl	7781 Beaver Creek Rd	Lisa Nydahl

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Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

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Dated 30 day of January, 2019

Name (Please Print)	Address (Please Print)	Signature
Michael Kozlov	3514 Huff Dr	Michael Kozlov
Kate Bannan	4586 Beale	Kate Bannan
Chriss Whipp	#29 110 Kendal	Chriss Whipp
Roberta Coulombe	5558 Beaver Creek Rd.	Roberta Coulombe
Julia Gyori	2567 9th AVE	Julia Gyori
Linda Peter	5401 Hector Rd	Linda Peter
MAURIE HOD	4946 LATHOM	Maurie Hod
MONTI SHILTON	5979 BEAVER CREEK	Monti Shilton
Donna Duman	5979 Beaver Creek Rd	Donna Duman
Jim Whitworth	Box 564 Ucluelet	Jim Whitworth
LINDA KELSALE Linda Kelsale	5563 Meadow Rd.	Linda Kelsale
ERNIE LUEHKA	2846 - 11 AVE	Ernie Luehka

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

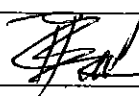
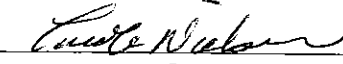
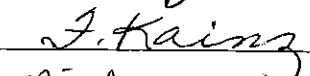
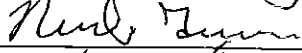
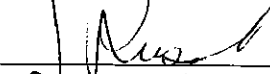
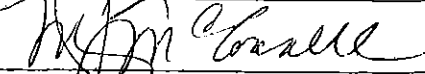
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Your petitioners respectfully request that the owners of 7827 Beaver Creek Road not be granted the special non-farming use permit that they have requested, in order to construct a 60 000 square foot industrial medical marijuana production facility.

Dated _____ day of _____, 20____

Name (Please Print)	Address (Please Print)	Signature
Renee Buchanan	3505 Gagne Rd P.A. BC.	
CAROLE NIELSEN	2962 ANDERSON AVE Port Alberni	
F. ZENS	10005 SWANSEY, P. A	
J. Kainz	3535 Burde ST RA	
N Turner	4965-10-Argyle st PA	
Ian Robertson	5830 Tebo PA	
J Russell	5359 OHer PA	
R M'GARRIGLE	5434 FALLS RD PA	
KARIN SCALES	5558 Beaver Creek	
Myrna McConnell	5024 Compton Rd.	
Rosemarie Debbert	4777 Maitland St.	
Brian Erickson	5669 Pierce Rd.	

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Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

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Dated _____ day of _____, 2018

Name (Please Print)	Address (Please Print)	Signature
Dianne Kunderman	3965 - 4th Ave	Dianne Kunderman
ED KUNDERMAN	3965 - 4th Ave	Ed Kunderman
Denise Poole	#40 5558 Beaver Creek Rd. Port Alberni	Denise Poole
Rita McCarty	2570 Old Nanaimo Hwy	Rita McCarty
Pat Missler	3378 BURDE STREET	Pat Missler
Cora Jensen	1-4074 Meryvale Port Alberni	Cora Jensen
Alita Johnson	3025 10th Ave Port Alberni	Alita Johnson
Lore Uneri	Ap1-4422 Roger St	Lore Uneri
Briana Vermette	5238 Headlip Road	Briana Vermette
Danielle Sam	Port Alberni	Danielle Sam
Annette Clement	Port Alberni	Annette Clement
Kathy Maclean	Port Alberni	Kathy Maclean

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Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

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Dated _____ day of _____, 20____

Name (Please Print)	Address (Please Print)	Signature
Nanette Field	4499 Latham Rd Port Alberni	<i>N. Field</i>
Loni Henri	5000 Spencer St. P.A.	<i>L. Henri</i>
Cindy Hewitt	5510 Woodland Cres E. P.A.	<i>C. Hewitt</i>
RUTH JEFFERY	7801 LITTLETON DR PORT ALBERNI	<i>R. Jeffery</i>
Kristy Clark	5662 Maple St Port Alberni	<i>K. Clark</i>
Christine Parfitt	2442 15th Ave Port Alberni	<i>C. Parfitt</i>
Jennine Snidle	5597 Strick R. Port Alberni	<i>J. Snidle</i>
C. McDonald	3591 16th Ave Port Alberni	<i>C. McDonald</i>
Seana Wright	3655 12th Port Alberni	<i>S. Wright</i>
Jessica Langille	3616 11th Ave P.A.	<i>J. Langille</i>
Lisa Laslo	6671 Cherry creek Rd.	<i>L. Laslo</i>
Erin Anker	4011 Exton St. P.A.	<i>E. Anker</i>

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

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Dated 19 day of Jan, 2019

Name (Please Print)	Address (Please Print)	Signature
Carla Neville	4593 Glenwood Drive	<i>[Signature]</i>
Kristina Little		<i>[Signature]</i>
Joyce Webb	4582 Victoria Dr.	<i>[Signature]</i>
Carol Sexton	4696 Dunbar St	<i>[Signature]</i>
ERINA KELBERT	3500 BISHOP CRES	<i>[Signature]</i>
Bev Ross	2728-6 th Ave	<i>[Signature]</i>
Sharon Anderson	4731-North Park Drive	<i>[Signature]</i>
TERRY MEYER	MCKINLEY ST P227 P.A.	<i>[Signature]</i>
IVAN WHITTICASE	39-6155 LUGRIN RD. P.A.	<i>[Signature]</i>
E. Geleynse	2275 Old Man. Hwy.	<i>[Signature]</i>
Ralston	7551 McKinnon Rd	<i>[Signature]</i>
GLORIA CLAYDON	4975 IAN AVE.	<i>[Signature]</i>

**Petition: Stop the Proposed Industrial Grow Op on ALR land at
7827 Beaver Creek Rd.**

To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

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Dated 29 day of Jan, 2019

Name (Please Print)	Address (Please Print)	Signature
Virginia Brook	3670 9th Ave. P.A.	Virginia Brook
CAREN BROWN	3570 BRACKEN LANE	Caren Brown
SAM BROWNLEE	4205 Burde St PA	Sam Brownlee
Ruth Wiebe	4444 Burde St.	Ruth Wiebe
Anthea Boechler	7211 Keary Rd.	Anthea Boechler
KAY BAKER	6100 DRINKWATER RD	K. Baker
KILLET FITZGERALD	4856 MAITLAND ST	K. Fitzgerald
Adam Werle	PORT ALBERNI	Adam Werle
Sieg Neumann 2379-8th	Port Alberni	S. Neumann
Sieg Neumann 2379-8th	Port Alberni	S. Neumann
Ted Maurice	5895 Nelson P.A.	T. Maurice
MIKAELLA LATTIEFF	3514 HUFF DR. P/A	M. Lattieff

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

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Dated _____ day of _____, 20____

Name (Please Print)	Address (Please Print)	Signature
Ulrich Bydding	8423 Paetz Rd.	Ulrich Bydding
Terry Hauke	6480 Fayette	TERRY HAUKE
Ilona Garcia	7360 Kerry Rd	Ilona Garcia
HORACE STENFELS	7251 Thompson Rd	Horace Stenfels
PHYLLIS ROSSIGNOL	6491 Beaver Creek Rd	Phyllis Rossignol
Rebecca Terepocki	8791 ^{Bayne} Bryson Beaver Creek	R Terepocki
Jane Terepocki	"	"
Anne Terepocki	8791 Bryson Rd.	Anne Terepocki
Shelley Thorpe	6800 Swanson Rd W.	Shelley Thorpe
Valley Brown	6015 Beaver Cr Rd	Valley Brown
Vickie Barr	2415-10 th Ave	Vickie Barr
Wendy Aleot	6113 Beaver Cr.	Wendy Aleot

Feb 19

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

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Dated _____ day of _____, 20__

Name (Please Print)	Address (Please Print)	Signature
~~George Gordon~~	~~8209 Miller Rd~~	~~[Signature]~~
~~Veter Kluwe~~	~~10080 Hibbard Rd~~	~~[Signature]~~
~~John W. [unclear]~~	~~7073 Beaver Creek Rd~~	~~[Signature]~~
Carmen Steinbach	7620 Bainbridge rd	[Signature]
Brendin Breuker	4110 Kendal ave	[Signature]
Scott Antonichak	7975 Beaver Creek Rd	[Signature]
Mathis Muller	6240 Lacombe Ave	[Signature]
Charles Graves	4890 Punter St Port Alberni	[Signature]
Ken A. [unclear]	Lot 25 Grandville	[Signature]
Jennifer Halsall	6132 Saunders Rd N	[Signature]
Robin D. LEE	6732 Beaver Creek Rd	[Signature]
Wesley [unclear]	6360 Ferguson Rd	[Signature]

Find us on Facebook, Big Box Agriculture Next Door!!

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

We believe:

- Farmland in the Agricultural Land Reserve represents only 5% of our land base. There is an urgent need to protect and preserve this land in the interests of food security.
- The current moratorium on cement-based cannabis production facilities within the ALR should be honoured.
- Industrial cannabis production should not be permitted in close proximity to residential homes and neighbourhoods.
- Industrial cannabis production should not be permitted in close proximity to a government funded addictions treatment centre (Kackaamin Family Development centre is located across the street from the proposed facility at 7830 Beaver Creek Road).

Your petitioners respectfully request that the owners of 7827 Beaver Creek Road not be granted the special non-farming use permit that they have requested, in order to construct a 60 000 square foot industrial medical marijuana production facility.

Dated _____ day of _____, 20__

Name (Please Print)	Address (Please Print)	Signature
Roy & April Worms	7791 Cameron Rd	<i>[Signature]</i>
Pete & Jutta Herber	7734 Beaver Creek Rd	<i>[Signature]</i>
Jean Thompson	7051 Bainbridge Rd	<i>[Signature]</i>
Todo Thompson	7051 Bainbridge Rd	<i>[Signature]</i>
<i>[Signature]</i>	8097 Cameron R. at	<i>[Signature]</i>
DAN CROWLEY	8295 Cameron Rd	<i>[Signature]</i>
Kimberly Crowley	8295 Cameron Rd.	<i>[Signature]</i>
Wayne Crowley	8295 Cameron Rd	<i>[Signature]</i>
Ala Crowley	8295 Cameron Rd	<i>[Signature]</i>
JAMES VANDERHOEK	7217 BEAVERCRK RD	<i>[Signature]</i>
HELEN PURVES	7857 CAMERON RD	<i>[Signature]</i>
JOY PURVES	7857 CAMERON RD	<i>[Signature]</i>

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Dated _____ day of _____, 20____

Name (Please Print)	Address (Please Print)	Signature
JOHN MADSEN	7840 CAMERON RD	<i>John Madsen</i>
Gillian Kamma	7840 CAMERON RD	<i>Gillian Kamma</i>
Cody Fairbairn	7798 Cameron Rd	<i>Cody Fairbairn</i>
Candi Gravelle	7798 Cameron Rd	<i>Candi Gravelle</i>
Ashley Kujala	7880 Cameron rd	<i>Ashley Kujala</i>
Lance Kujala	7880 Cameron rd	<i>Lance Kujala</i>
Jenny Stubbs	7820 Cameron rd	<i>Jenny Stubbs</i>
Dennis Stubbs	7820 Cameron rd	<i>Dennis Stubbs</i>
DEB HAAS	7953 CAMERON RD	<i>Deb Haas</i>
Dylan Haas	7953B CAMERON RD	<i>Dylan Haas</i>
JOE HAAS	7395 CAMERON RD	<i>Joe Haas</i>
Caitlin Kamma	7840 Cameron Rd	<i>Caitlin Kamma</i>

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Dated 9 day of Feb, 2019

Name (Please Print)	Address (Please Print)	Signature
~~Harvey Thompson~~	~~7827 Beaver Creek Rd~~	~~Harvey Thompson~~
Lesley Shams	105-4650 Burke Rd.	Lesley Shams
Alex Williams	2650 2nd Ave.	Alex Williams
DAVE WORTON	6000 DUNDAS RD	Dave Worton
Richelle Bolduc	5202 Athol Rd.	Richelle Bolduc
Spores	2046 Elm Ave	Spores
Ivan Wells	4325 Burde St	Ivan Wells
TERRY REYNOLDS	5730 STRICK RD	Terry Reynolds
Kellie Fontaine	4445 Glenwood Dr	Kellie Fontaine
Kate Racey	5955 Foster Rd	Kate Racey
Angela Gioia	" " "	Angela Gioia
JEAN-FRANCOIS ST-L	29 BOUL PERRON ^{ST ANNE DES MONTS QUEBEC}	Jean-Francois St-L

2 Thibodeau

7833 Beaver creek

Thibodeau

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

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Dated _____ day of _____, 20____

Name (Please Print)	Address (Please Print)	Signature
SADIE GREENAWAY	1100 4116-10 th AVE, PORT ALB.	<i>Sadie Greenaway</i>
Cheryl Guirau	4733 REDFORD ST P.N	<i>Cheryl Guirau</i>
Lisa Robinson	7830 Beaver Creek Rd Port Alberni	<i>Lisa Robinson</i>
Tana Thomas	7830 Beaver Creek Rd Port Alberni	<i>Tana Thomas</i>
Margaret Bird	7830 Beaver Creek Rd Port Alberni	<i>Margaret Bird</i>
Marcel Zobel MA, RCE, R-DMT	1368 Chesterman Beach Rd, Tofino	<i>Marcel Zobel</i>
SHARON NEGRIN	7830 Beaver Cr. Rd. Port Alberni BC	<i>Sharon Negrin</i>
Isabel Chutesi	7180 Shewish Pl	<i>Isabel Chutesi</i>
Lorelei Andrew	3170 10 th Ave Port Alberni, V9Y4V4	<i>Lorelei Andrew</i>
Carolyn Thibodeau	7833 Beaver Creek Rd. Port Alberni	<i>Carolyn Thibodeau</i>

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Dated _____ day of _____, 20____

Name (Please Print)	Address (Please Print)	Signature
Al Wright	6265 Fayette Rd	<i>Al Wright</i>
Brian Randos	6449 CHERRY CREEK RD	<i>Brian Randos</i>
JOE SWEENEY	3563 McKnight St	<i>Joe Sweeney</i>
LARRY SMITH	3736 ESTEVAN Drive	<i>Larry Smith</i>
AL POTTER	4923 Spencer St	<i>Al Potter</i>
GERRY FAGAN	3766- 17 AVE.	<i>Gerry Fagan</i>
BOB DALGLEISH	6131 DRINKWATER RD	<i>Bob Dalgleish</i>
CARL WAGNER	4995 PRAIRIE ST.	<i>Carl Wagner</i>
Arbail Manhas	5600 Westdale Rd	<i>Arbail Manhas</i>
Steve White	5504 Woodland Cres. E.	<i>Steve White</i>

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[illegible]

Petition: Stop the Proposed Industrial Grow Op on ALR land at 7827 Beaver Creek Rd.

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Dated _____ day of _____, 20__

Name (Please Print)	Address (Please Print)	Signature
Schingnitz	7935 Beaver Creek Rd	<i>[Signature]</i>
CRUENHAGE	7945 "	<i>[Signature]</i>
C. Gruenhage	7945 Beaver Creek	<i>[Signature]</i>
K. Evans	7955 Beavercreek	<i>[Signature]</i>
Helen Helim	7965 Beaver Cr.	<i>[Signature]</i>
..	7965 Beaver Cr.	<i>[Signature]</i>
Tim Cross	7878 Wardrop Rd	<i>[Signature]</i>
Sharon Bob Waters	7878 Wardrop Rd.	<i>[Signature]</i>

**Petition: Stop the Proposed Industrial Grow Op on ALR land at
7827 Beaver Creek Rd.**

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Dated 9th day of Jan., 2019

Name (Please Print)	Address (Please Print)	Signature
Kristine Clark	4250 Victoria Dr. Port Alberni BC	KClark
Stephanie Spring	3657 Lyall Pt. Cres. Port Alberni, B.C.	S. Spring
Kathryn Kendrick	2175 Halona Way Coombs, B.C.	KKendrick
Jocelyn Finley	8262 Mesher's Rd Port Alberni BC	Jocelyn Finley
Saera Michael	4453 Margaret St. Port Alberni, BC	Saera Michael
Claire Champagne	4185 Parkinson Pl Port Alberni, BC V9Y 8B8	CC
Jessica Pley	2403 10th Avenue Port Alberni, BC, V9Y 2P6	JPley
D Zimmerman	5553 Pierce Rd	

Appendix 'C'

REC'D/RECEIVED

21-01-2015

To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

I am writing to you regarding the application for a non-farming use permit at 7827 Beaver Creek Road, in Port Alberni. I am aware that this permit has been applied for in order for the owners of the property to construct a 60 000 square foot medical marijuana production facility. I urge you to not grant this exemption. I urge you to follow the laws that are currently in place regarding industrial production of marijuana on ALR lands.

As of August 15, 2018 the ALR Regulation regarding these facilities has been amended to disallow cement based production of cannabis on ALR lands. This amendment was put in place due to the concerns of local governments and citizens throughout BC regarding the importance of this land for food production and security. The process required to construct these massive cement based structures involves rendering the land unusable for food production in the future. Industrial cannabis production is *not* a proper use of ALR land.

In addition to its being situated within the Agricultural Land Reserve, the proximity to neighbouring homes and the Kackaamin Family Development Centre, makes this particular proposal exceptionally inappropriate. There is a dense cluster of homes in the immediate area surrounding this property. The families and clients that reside in the area surrounding this property should not be considered merely as collateral damage in the owner of this property's efforts to circumvent the law.

As large-scale cannabis production entails the construction of large scale cement buildings, 24 hour shift rotations, 24 hour light and noise pollution, and many other social and environmental concerns, I believe that this type of facility does not belong at 7827 Beaver Creek Road. Industrial zones were created for industrial development. Please keep the Agricultural Land Reserve for families and farmers.

Sincerely,



Jan 15, 2019

From: [REDACTED]
To: [Mike Irg](mailto:Mike.Irg)
Cc: Tory.Lawson@gov.bc.ca; omc-bmc@hc-sc.gc.ca
Subject: Industrial Cannabis Production on ALR land
Date: January-11-19 3:59:37 PM

We are opposed to Industrial Cannabis Production on ALR land for several reasons. This is farm land and not meant for industrial use. Once paved good luck being able to use it for food production again.

The smell associated with Marijuana is incredibly offensive and the oils that are in the air surrounding these facilities cause breathing problems for the neighbours. I personally had laryngitis and COPD for 4 years while living beside a medical grow op. Contrary to what the pro cannabis faction tries to make everyone believe, this is not a harmless product. I am sure it has some benefits for some people but it also has some serious drawbacks. Specifically the one out Beaver Creek should not be allowed across from the First Nations Family Rehabilitation Centre. The smell, noise and traffic will change the neighbourhood completely and not to the good. The smell travels well more than 300 meters so the neighbours will never be free from the odour. The company can say there will be no smell it is all contained but when this proves to be incorrect it's too late and unless the penalty is so strong ie they are shut down permanently the neighbourhood will forever be surrounded by the smell of a skunk farm. As this will be an industrial business the traffic increase on the 2 lane rural road will also be dramatic and constant. If it is a 24 hour a day business then there is no break for the neighbours. When will they get the opportunity to enjoy their properties?

The water consumption used by a hydroponic type business will surely affect the amount of water available to the neighbourhood and where will the waste water, full of chemicals go?

Health Canada does not regulate or we suspect care to involve themselves in these operations. They certainly didn't check into why one was allowed to be 15 feet from our property line and no controls on the emissions.

Sincerely

[REDACTED]

Sent from my iPad

From: Tracy Bond
To: Charity Hallberg Dodds
Subject: FW: Letter from [REDACTED] re: Cannabis Facility proposed for 7827 Beaver Creek Road
Date: February-08-19 1:17:03 PM
Attachments: [letter to Alberni Clayoquot RD.pdf](#)

From: ALC Burnaby ALC:EX <ALCBurnaby@Victoria1.gov.bc.ca>
Sent: Friday, February 08, 2019 12:42 PM
To: Administration Shared <administration@acrd.bc.ca>
Subject: Letter from [REDACTED] re: Cannabis Facility proposed for 7827 Beaver Creek Road

Good afternoon,

Please find attached a letter received by ALC Chair Jennifer Dyson from [REDACTED] for your information and attention.

Sincerely,

Agricultural Land Commission



Jennifer Dyson ALC

Feb 1, 2019

Attention Jennifer Dyson

Beaver Creek Rd,

We most definitely are opposed to the marijuana facility proposed for 7827 Beaver Creek Rd. this is bottom land classed as ALC in a residential area. It has a Creek running through it and the north side floods every year in high water. The run off will affect the major spawning area for Coho in the fall, as there is no guarantee that the nutrients they will use will not get into the creek and cause alga that kills fish. This would be disastrous and inevitable. And could also set a precedent for others to opt out of ALC?

We have licenses on this creek processing, irrigation, over half a mile runs through our property and starts 300 meters downstream from the site.

has been in our family since the early thirties and we have made arrangements for it to stay that way for the next 2 generations. (hopefully their heirs will continue this)

Directly across the road is a Kaskoomin major drug rehab center, which we know for a fact will be affected by the smell as well as others in the neighborhood.

URGENTLY Beaver Creek Rd, also signing here in protest.

Address | City, St Zip Code

7827

MAY, 80yd

150yd

50yd

FENCE

300yd



BEAVER CREEK



1.1420741.82
2018/1/11

To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

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As of August 15, 2018 the ALR Regulation regarding these facilities has been amended to disallow cement based production of cannabis on ALR lands. This amendment was put in place due to the concerns of local governments and citizens throughout BC regarding the importance of this land for food production and security. The process required to construct these massive cement based structures involves rendering the land unusable for food production in the future. Industrial cannabis production is not a proper use of ALR land.

In addition to its being situated within the Agricultural Land Reserve, the proximity to neighbouring homes and the Kackaamin Family Development Centre, makes this particular proposal exceptionally inappropriate. There is a dense cluster of homes in the immediate area surrounding this property. The families and clients that reside in the area surrounding this property should not be considered merely as collateral damage in the owner of this property's efforts to circumvent the law.

As large-scale cannabis production entails the construction of large scale cement buildings, 24 hour shift rotations, 24 hour light and noise pollution, and many other social and environmental concerns, I believe that this type of facility does not belong at 7827 Beaver Creek Road. Industrial zones were created for industrial development. Please keep the Agricultural Land Reserve for families and farmers.

Sincerely, [REDACTED]

[REDACTED] 20 Jan 2019

[REDACTED]

Port Alberni, BC

[REDACTED]

REC'D/RECEIVED

21-01-2018

To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

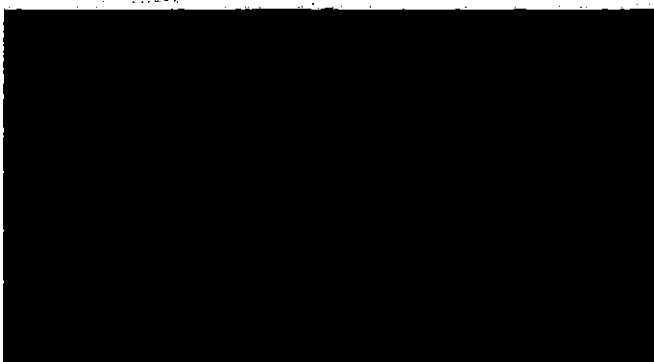
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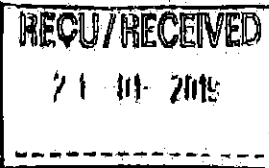
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Sincerely,

A large black rectangular redaction box covering the signature and the first part of the address.

Port Alberni BC

February 3, 2019

To ACRD Directors and the ALC.

Re: Proposed Property Development, 7827 Beaver Creek Road, Port Alberni. B.C

My name is [REDACTED], I live at [REDACTED] Road, Port Alberni with my wife [REDACTED]. We have owned this property for 27 years; choosing to live rurally in order to have a lifestyle of peace and quiet

We recently learned of the proposed development at 7827 Beaver Creek Road and would like to state our opposition to this project for the following reasons.

The footprint of this proposed building (210 feet by 320 feet by 35 feet tall) is enormous and is to be built on ALR land. This proposed building will not only adversely affect the landscape in Beaver Creek, including fish bearing creeks, it will also add light, noise and air pollution which will also adversely affect the residential neighbourhood; some of these houses being less than 80 ft from this proposed development. Many of the neighbours have young children who will be subjected to "air pollution" from this industry. We are not opposed to the cultivation of marijuana but feel that it should not be in a residential area.

The proposed development is adjacent the The Kackaamin Family Development Centre. The success of this center is unquestionable. This is an attribute to our community and the Beaver Creek residents support its purpose and success. The proposed developers have no respect for our First Nations Neighbours as demonstrated at the Chamber of Commerce meeting on January 21st, 2019 when they characterized the Kackaamin Development Centre as a "bunch of drug addicts." This language and characterization are appalling and completely disrespectful of First Nations People on whose Traditional Territory we all reside.

This is not a matter of "not in my backyard", however a building of this size does not belong on ALR land and the business conducted within it should not be in a residential area with a family development centre across the road. We, and many other Beaver Creek residents (not only those with direct contact to the proposed building) are adamant in their conviction to keep ALR lands for the purpose of food production -not industry. The fact of the matter is that this is an inappropriate location for this type of development, and it will have negative impact on hundreds of people who proudly call Port Alberni home. We therefore urge you to say NO to this development at 7827 Beaver Creek Road

Yours Sincerely,

[REDACTED]

[REDACTED]

**ALBERNI-CLAYOQUOT
REGIONAL DISTRICT**

FEB 06 2019

RECEIVED

From: Mike Irg
To: Alex Dyer; Charity Hallberg Dodds
Subject: FW: Bunker Style growing facilities on ALR Lands. re: 7827 Beaver Creek Road, Beaver Creek, Port Alberni
Date: February-11-19 9:13:50 AM

Another letter.

-----Original Message-----

From: [REDACTED]
Sent: Thursday, February 07, 2019 10:24 AM
To: Mike Irg <mrig@acrd.bc.ca>; tory.lawson@gov.bc.ca; omc-bmc@hc-sc.gc.ca; Scott Fraser <scott.fraser.mla@leg.bc.ca>; Gord.Johns@parl.gc.ca; John McNabb <pard54@hotmail.ca>; Sharie Minions <sharie_minions@portalberni.ca>
Subject: Bunker Style growing facilities on ALR Lands. re: 7827 Beaver Creek Road, Beaver Creek, Port Alberni

February 7, 2019

To whom it may concern,

I am writing regarding the application for non-farming use permit on ALR lands at 7827 Beaver Creek Road, in Beaver Creek, Port Alberni.

I own a two acre parcel within the ALR, [REDACTED] Road, Beaver Creek, which I operate as one half of a market garden farm, in conjunction with 5 acre ALR parcel in Cherry Creek. The potential removal of another parcel of land from the ALR effects me, and mocks the necessity of setting aside lands for agricultural reserve.

Firstly, I am not protesting this because it is a marijuana operation, if the property were to be used for growing hemp or growing marijuana in a field or unfoundationed poly tunnel type greenhouse operation, I would have no issue, though probably if I were a direct neighbour I would not be thrilled, for smell and security reasons, and in this case it is in proximity to a treatment site. What I am concerned about is precedent and the location, the scale and the notion of building any industrial facility on ALR lands.

There is a difference between building accessory barns for livestock, equipment and crop storage, on the land that is being farmed, and building a self-contained industrial bunkers on ALR land that require no agricultural land to operate. I feel the same way about any type of industrial crop production done in self-contained concrete bunkers (or 24 hr. lit concrete greenhouses) for animals or plant material or brewing; where the inherent nature of the onsite land and soil is un-utilized, and the actual operation could take place anywhere in any purpose built facility. In this form, such activity needs to be treated as industrial land activity not agriculture. The only exception I personally would make to this would be small abattoirs serving local production, where animal welfare issues arise over long distance unnecessary transportation of live animals.

A 35 foot tall, three story, 60,000 square foot building is perfect for an industrial zoned area. I have seen the commercial Tilray marijuana operation located near Duke Point, Nanaimo. That facility is close to a pulp mill facility, surrounded by other industrial industry, located behind high fencing and razor wire and looks like a huge cement warehouse surrounded by a parking lot. It fits in perfectly there.

In this region in particular, there is no end to empty under-utilized ex industrial / commercial spaces both within Port Alberni and in the ACRD in areas closer to town (and the employee pool), not within ALR, with appropriate zoning. Why not rehabilitate derelict areas of Port Alberni with this new industry? People in Port Alberni (which is where the labour force will be coming from) will appreciate being closer to the jobsite.

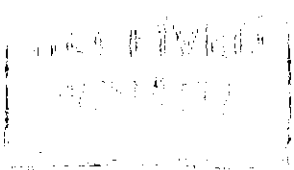
The company proposing this development wants to have another 150 people travelling down Beaver Creek Road daily. Please consider that this road is dangerously narrow for any type of pedestrian or bike travel; it is truly not safe to walk on Beaver Creek Road, even with current traffic levels. As a resident this is a long term frustration for me that would be made worse by more traffic; who is putting in the pedestrian trail?

And finally, it is in really poor taste to locate a large industrial drug growing operation next to a long established successful family drug and alcohol treatment centre. The driveway to the proposed site is directly across from Kaakaamin Centre, regardless of what the company says.

Please uphold the new provincial government policy— an outright moratorium on cement-based, industrial-style cannabis production facilities in the ALR.

Sincerely, [REDACTED]
[REDACTED] Road, Port Alberni, BC.

[REDACTED]



To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

I am writing to you regarding the application for a non-farming use permit at 7827 Beaver Creek Road, in Port Alberni. I am aware that this permit has been applied for in order for the owners of the property to construct a 60 000 square foot medical marijuana production facility. I urge you to not grant this exemption. I urge you to follow the laws that are currently in place regarding industrial production of marijuana on ALR lands.

As of August 15, 2018 the ALR Regulation regarding these facilities has been amended to disallow cement based production of cannabis on ALR lands. This amendment was put in place due to the concerns of local governments and citizens throughout BC regarding the importance of this land for food production and security. The process required to construct these massive cement based structures involves rendering the land unusable for food production in the future. Industrial cannabis production is *not* a proper use of ALR land.

In addition to its being situated within the Agricultural Land Reserve, the proximity to neighbouring homes and the Kackaamin Family Development Centre, makes this particular proposal exceptionally inappropriate. There is a dense cluster of homes in the immediate area surrounding this property. The families and clients that reside in the area surrounding this property should not be considered merely as collateral damage in the owner of this property's efforts to circumvent the law.

As large-scale cannabis production entails the construction of large scale cement buildings, 24 hour shift rotations, 24 hour light and noise pollution, and many other social and environmental concerns, I believe that this type of facility does not belong at 7827 Beaver Creek Road. Industrial zones were created for industrial development. Please keep the Agricultural Land Reserve for families and farmers.

Sincerely,

Jan 15, 2019

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Sincerely,

January 15, 2019.

Port Alberni BC

██████ Beaver Creek Road

Port Alberni, BC ██████

January 11, 2019

Board of Directors

Alberni Clayoquot Regional District

Dear Board of Directors:

Re: Proposed Medical Marijuana Production Proposal at 7827 Beaver Creek Road

I am writing to you to express my opposition to this proposed development at this site for many reasons:

- the water table on this property is very high and where is the run off going to go? These plants use huge amounts of water and maintaining a sixty thousand square foot building will require heavy use of cleaning agents.

- there are many chemicals used in growing the plants and keeping an industrial site clean and there is no sewer to discharge into

- I have a water license on Beaver Creek for my household use and there are several creeks on this property that run into Beaver Creek so water quality will be affected

- access to the property is through a narrow strip on Beaver Creek Road and that area is densely populated since it is adjacent to the original Beaver Creek Elementary School, therefore there will be significant impact to these homes due to twenty four hour operation of the facility including ventilation fans emitting smell and particulate matter, high security lighting, staff parking and trucks loading the product

This particular area of Beaver Creek is rural but there are many small family parcels in the area and in the past few years we have seen many young families moving out to here because of lower property values and clean air and water.

This proposal is not suitable for this area and I urge the Board of Directors to assist the proponents to find a more industrial site to put their operation as it will have a very detrimental effect on the quality of life that we covet in our area.

Thank you for your consideration of my concerns.

Sincerely,

A large black rectangular redaction box covering the signature area.

Feedback from Beaver Creek Resident regarding application for Non-Medical Cannabis Farm and Production Facility

To: Alex Dyer, Beaver Creek Regional District
From: [REDACTED] Beaver Creek, Port Alberni, BC
CC: Tory Lawson, Agricultural Land Commission; Alberni Clayquot Regional District office
Date: 11 January 2019
Re: Concerns about Non-Medical Cannabis farm and production application for Beaver Creek Area

As a long-time Beaver Creek resident, I've seen the cycles of water and agricultural land usage change. However, the application to produce Non-Medical Cannabis (both farming and processing) at 7827 Beaver Creek, land currently in an agricultural reserve area brings up several important concerns.

**Location of
Proposed
Farm and
Plant**

The application mentions the Cannabis production will be a 24 hour / 7 days / week cycle and requires both Industrial Greenhouses and a Large Cement Processing Plant. The location is across from the Kacakaamin First Nation Family Rehabilitation Center – a facility that needs as part of its treatment of quiet and peaceful surroundings. Irritants such as bright lighting, the constant smell of addictive substances being vented from the greenhouses and processing plant and the ongoing noise of processing, loading and shipping of material will make it very difficult to for effective rehabilitation and treatments to continue.

**Industrial
Water Usage**

Land taken out of Agricultural Reserve for industrial use no longer contributes to the local water table nor helps in water retention or any natural water purification processes. Also, because of industrial pollution, that land is lost to future agricultural use.

Also, high water usage for Hot House Product Growth and Production will seriously impact the overall Beaver Creek Water Table Levels leaving less than adequate supply for current farming and residential use.

**Livestock and
Residential
Impact**

Industrial processes proposed are stated to be 24 hour / 7 days a week. That will negatively impact the farming community especially with the sleep, health and work cycle of dairy and food animal productions. Also, the surrounding residents will be similarly negatively affected.

**Stamp River
Riparian zone**

We believe the surround Stamp River tributaries and water bodies in the watershed and their associated ecosystems will be disrupted immensely by the industrial waste water and on-site waste holding and disposal.

These are a few of the concerns my family have over the proposed Industrial Non-Medical Cannabis farm and production facility at 7827 Beaver Creek.

Please take our concerns to heart and consider them in your discussions for the Request For Decision on the Production of Non-Medical Cannabis.

**ALBERNI-CLAYOQUOT
REGIONAL DISTRICT**

JAN 14 2019

RECEIVED

From: [REDACTED]
To: Alex Dyer
Subject: Say no to Grow Op
Date: January-11-19 11:19:39 AM

We would like to add in writing our voice to the "say no" to a grow op being put in across the road from a government funded rehab centre on Beaver Creek Road.

No agricultural land should be lost or mis-used to house this Grow Op. If it must be build it should be placed on Industrial land and housed in an air tight building that will not impact on its neighbours in any way.

This area already has at least one too many Grow Ops. The one up on Mountain Ranch Road stinks and must really lower the quality of life for the neighbouring properties. Why on earth would this neighbourhood want our quality of life to be reduced by something that is unnecessary and a complete misuse of the property.

This household says no to a grow op.

From: [REDACTED]
To: Gord.Johns@parl.gc.ca
Cc: [Mike.Irg; omc-bmc@hc-sc.gc.ca](mailto:Mike.Irg@omc-bmc@hc-sc.gc.ca); [Scott Fraser](#); Toiv.Lawson@gov.bc.ca
Subject: Grow Op in Beaver Creek
Date: January-24-19 5:31:39 AM

Whether it is called a Grow Op or a Medical Marijuana Facility the smell, light pollution, chemical run off, effect on ground/surface water, waste of farm land and impact on both the neighbourhood and environment are the same. In a nutshell the residents in the Beaver Creek area of Port Alberni do not want the facility that is proposed for 7827 Beaver Creek Road.

If it must go in and we are not sure that it should, it should be located on industrial land in a sealed building. The smell coming from the "grow op" up on Mountain Ranch Road is bad enough for its neighbours, to have yet another facility seems inappropriate.

The other concern we as residents and neighbours of this proposed site has to do with its ownership. It is evidently listed as

a numbered company and we are unable to find out who it is. Does this mean organized crime/gangs have found a way to launder money thru the loopholes in the law? Are we dealing with an offshore, potentially criminal group?

We have a drug re-hab centre right across the road from this proposed "grow op", which has its own concerns about the facility and its impact on the neighbourhood.

Please list us as saying no to this proposed development.

[REDACTED]

To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

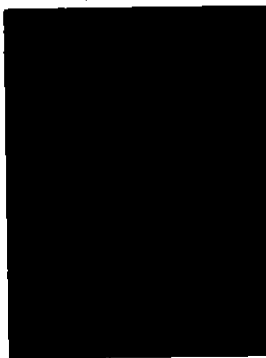
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Sincerely,



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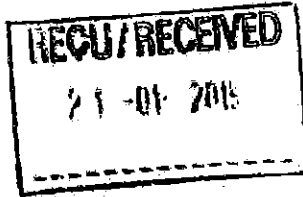
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Sincerely,

Port Alberni BC



January 16, 2019

To the Alberni Clayoquot Regional District (ACRD)
and the Agricultural Land Commission (ALC)

I am writing in regards to the establishment of an industrial marijuana grow op at 7827 Beaver Creek Road. I have lived in this area for the last 46 years - living with industrial pollution and watching the beauty of this valley restored when industry was compelled to clean up their act. There are many reasons why this facility should not be built on this land. My concern is the pollution ~~who~~ within the valley.

In today's environment there is a major concern of our environment being permanently damaged and no government bodies are concerned enough to do anything with lasting effects either locally or nationally. The Alberni Valley started being polluted with the establishment of the Pulp and Paper mill in the 1950s - over many years the pollution has been reduced to acceptable levels. If we start allowing facilities to be established which emit pollutants the health of the valley residents will be compromised.

2.

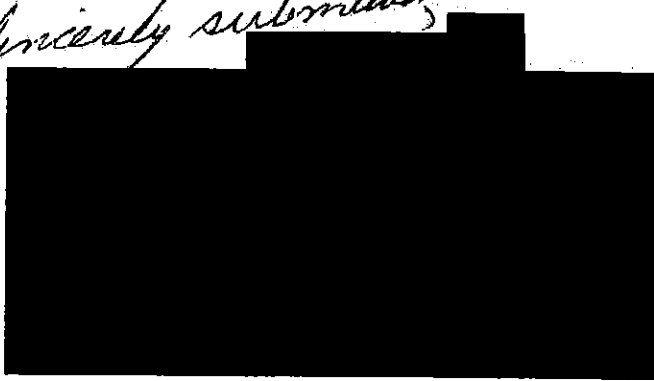
Our valley does not have the ability to clear pollutants due to winter weather inversions and in the summer heat inversions. When this occurs warnings are issued for those people with compromised health issues.

Another pollution concern is the close proximity of this property to Beaver Creek which flows into the Stamp River, both are salmon bearing waterways. This facility will have chemical settling ponds and the land it is on is bog or swamps with potential for seepage overtime draining into these waterways.

These two concerns are for most in my mind but can be added to other residential concerns being submitted.

I do not think The Albion Valley should be housing Industrial Medical marijuana facilities.

Sincerely submitted,



To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

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Sincerely,

Jan 15 19

RECEIVED
FEB 08 2019

February 4, 2019

To the Alberni Clayoquot Regional District (ACRD) and the Agricultural Land Commission (ALC):

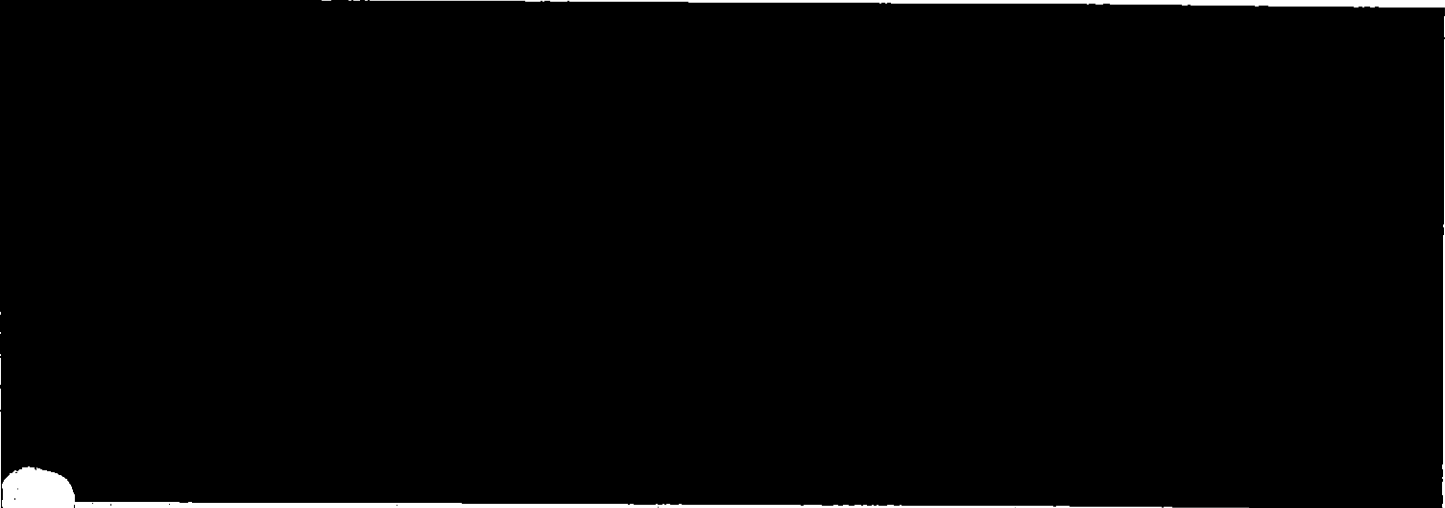
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Sincerely,



TO: Mike Irg, Planning & Development Manager, ACRD

CC: John McNabb, Electoral Representative, Beaver Creek

Moni Sadeghi, Owner, Premium Cannabis Meds BC

SUBJECT: Green Stuff in Beaver Creek

DATE: February 5, 2019

This letter is to address the proposed marijuana development at 7827 Beaver Creek Road in the ACRD. This proposal is highly problematic. The most obvious problem being that ALR land was purchased, a "special" non-farming use permit issued and then.... Bingo! A press release to the public.

Isn't this a backwards and undemocratic way of doing things? It seems to follow the style of how the overdose/injection site appeared at 3rd and Bute Street recently. Let's sneak things in first, get our licenses and approvals by the bureaucrats, change zoning to suit project's needs (as applicable), all the while, without consideration for the residents who work, live in the area and pay taxes. Is this the New Canada? Big plans with absolutely no consideration of its faithful citizens.....

I oppose the methods used to license this development. I oppose the fact that rural residents have not even been asked what their opinion, vote, or say in the matter is. Another glaring problem is this. Who determined that marijuana is an agricultural product? Is this green stuff something we humans can eat to stay alive? Is it something farmers can feed to their animals? The only green I see in this product is that of huge dollar signs dangling in front of the faces of the investors and Premium Cannabis Meds BC.

The front page article in the Alberni Valley News, Wed Jan 30, 2019, by Elena Rardon, outlines most of the other issues which will affect residents in Beaver Creek. There will be an obvious disruption to the area. The proposed site will bring unwanted 24 hour traffic to a roadway not designed for industrial use. There are already issues with Beaver Creek's water quality. Where are the toxic by-products of this industrial development going to go? What about interference with the salmon streams and waterways? Has a study been done? 100 foot setback from the nearest water source is a laugh. This is an industrial undertaking, not a farm or a rural residential property development.

There is a cement based building on Bute Street in town which regularly spews out stench into the air. To this disturbance, the authorities have said, "It is just like the pulp mill. Get used to it. Nothing we can do." As far as providing employment for 200-300 people..... this appears to be BOGUS. A scientific research, industrial operation will require specialists and those will be brought in from the outside. Sure Cannabis Meds BC may say that they will hire First Nations to keep up with the status quo but that is likely to be only for low end employment and to keep up with their own politically correct mandates. The newspaper article mentioned the issues around neighbouring real estate values. This is a very REAL CONCERN and not to be poo poo'd by Sadeghi. It certainly appears that the land was purchased in the ALR to benefit from lower taxes, which is a CONFLICT OF INTEREST.

(1)

This project is not agricultural. It is defined as scientific (research) and industrial. It does not belong in the Agricultural Land Reserve. How did the ACRD get around the issue of the moratorium? Cement, greenhouse or whatever, how can this green stinky shit justifiably be called an agricultural product? And, who really, is going to benefit? I don't think it will be the residents and taxpayers in the ACRD. It looks to be the government and the moneybag investors. This type of stuff does not belong in Beaver Creek which is a beautiful peaceful community both in land, families and countryside. Let's just replace good old fashioned dairy farming with a narcotic substance, call it an agricultural product, call it a day. What the F\$\$\$! Talk about EXPLOITATION!

My final comments have to do with the Kackaamin. I was born and raised in Beaver Creek. I attended Beaver Creek Elementary. I have to say that what Kackaamin has done with the Beaver Creek Elementary School site is admirable. There has been not one sign of disturbance to the neighbourhood since its opening. They are quiet to the point of invisible. Sadeghi's comments regarding "having a bunch of drug addicts" nearby does not even meet politically incorrect status. It is an appalling statement from an outsider hoping to capitalize on an opportunity made available by the Canadian Government. There are huge 60,000 square foot similar facilities popping up everywhere on the Island, in the Province etc. What is this telling us about our major economy? Are we on our way to becoming a country of pothead exports?

(2)

In conclusion, I say, "STOP THIS NONSENSE". You people who rewrite the laws without considering the quality or effects on resident's lives are This project has no place in the beautiful agricultural land reserve of Beaver Creek. It is INDUSTRIAL and belongs on INDUSTRIAL ZONED LAND, if even, there. NOT on quality farmland in a rural district. And for your information, the comment that the proposed site is swamp land is also BOGUS. Much of the ALR could be considered swamp. It is why farmers put in ditches for draining and swamp is not invaluable worthless land. Quite the opposite. Swamp should be considered land for preservation. And if the players in this nasty game had their heads screwed on correctly they might even see it that way. PRESERVATION not EXPLOITATION. So I ask of Sadeghi, investors, Cannabis BC Meds and the ACRD Planning Department etc, "WHERE ARE YOUR HEADS?"


Port Alberni

Feb 10th, 2019

[REDACTED];

Alberni Clayoquot Regional District;

RE: Medical Marijuana Facility located at 7827 Beaver Creek Rd in Port Alberni

The Alberni Farmers Institute supports the Agricultural Land Commissions current existing legislation and regulations with regards to Medical Marijuana and Cannabis facilities on lands within the Agricultural Land Reserve.

Respectfully,

[REDACTED]

Alberni Farmers Institute

Cc: [REDACTED], President Coombs Farmers Institute, District A Farmers Institute

Air Quality

Community Concerns Regarding Air Quality

Certainly everyone facing the threat of an industrial marijuana production facility being imposed into their community has significant concerns regarding the odor that these factories will produce, and the VOCs that will be omitted into the environment. Research from both industry and scientific perspectives makes clear that there is no method of odor control is 100% effective and that there are currently no "best practices" regulations or guidelines in place. A cannabis plant omits over 50 times the amount of volatile organic compounds as a tomato plant. This is not your standard agricultural operation and it does not deserve access to the lands or legal protections offered to farmers who grow food on ALR lands. These concerns are augmented by the fact that Port Alberni is situated in a unique environment and this may impact the effectiveness of standard odor reducing measures. The *Air Quality in Port Alberni* report that was prepared by the Ministry of the Environment in January of 2016 notes that "the mountainous terrain around Port Alberni inhibits air circulation which can reduce the ability of the atmosphere to disperse pollutants". The valley location of Port Alberni also makes it susceptible to the frequent formation of temperature inversions, particularly during the cooler months. During a temperature inversion, cold air at the surface is trapped by warmer air aloft, resulting in poor vertical mixing and stagnation. High levels of air pollutants can accumulate in the valley bottom during extended periods of stagnation." This is an extreme concern for the neighbouring community. While no one is excited about the prospect of living with the odor that these facilities produce, we also have genuine concerns for the most vulnerable in our population, our young children and our elderly. Will conditions such as asthma and emphysema be exacerbated by the VOCs omitted? It is important to note that Kackaamin runs a fully credited K-12 school, and they are presently expanding their daycare. These children deserve to have their health prioritized, as does the rest of our community.

Please review the following report regarding air quality in Port Alberni. It speaks to the unique challenges our environment presents dispelling air pollutants and implies that standard odor reducing measures may not be effective. Meetings with both the developer and the ACRD have made it clear that this fact has not been taken into consideration in the planning of this facility and that no research or special measures have been taken to ensure that the odor controls be developed reflect the needs of our environment. This is a significant concern with regard to the massive industrial building being proposed for our neighbourhood, but is even more distressing when considering the imposition of greenhouse-style production. We have also included information from Ontario Public Health, the Metro Vancouver Climate Action Committee and other sources that outlines the threat these facilities pose to the health and well being of the communities that support them.



Air Quality in Port Alberni

A Summary of Trends and Patterns in Meteorology, and
Common Air Pollutants

January 2016

BRITISH COLUMBIA MINISTRY OF ENVIRONMENT

ENVIRONMENTAL PROTECTION DIVISION

MONITORING, ASSESSMENT AND STEWARDSHIP

AIR QUALITY SECTION

Table of Contents

Executive Summary	1
1 Introduction.....	2
1.1 Site Geography.....	2
1.2 Fine Particulate Matter (PM _{2.5} and PM ₁₀).....	3
1.3 Sulphur Dioxide.....	4
1.4 Nitrogen Oxides (NO and NO ₂).....	4
1.5 Ozone	5
2 Datasets.....	5
2.1 Climate and Short-Term Meteorological Data.....	7
2.2 Air Quality Data.....	8
2.3 Data Validation Criteria.....	9
3 Results.....	9
3.1 Climate.....	9
3.1.1 Precipitation and Temperature.....	9
3.2 Meteorology.....	12
3.2.1 Influence of Meteorology on Air Quality	12
3.3 Wind.....	13
3.3.1 Alberni Elementary.....	15
3.3.2 Port Alberni Fire Hall (MAML)	19
3.4 Air Quality	24
3.4.1 BC Ambient Air Quality Objectives.....	24
3.4.2 PM _{2.5}	24
3.4.3 PM ₁₀	42
3.4.4 Sulphur Dioxide	45
3.4.5 Nitrogen Dioxide.....	48
3.4.6 Ozone	50
4 Conclusions.....	55
5 Recommendations.....	57
6 References.....	58
Appendix A Mobile Nephelometer Study	60

Methods	60
Results.....	61
Route.....	69
Appendix B How to Read a Boxplot.....	71

LIST OF TABLES

Table 1: Canadian Climate Normals Stations near Port Alberni (Environment Canada, 2015).	5
Table 2: BC Air Quality Monitoring Network stations in Port Alberni (BC MOE, 2015).....	6
Table 3: Meteorological parameters measured at BC Air Quality Monitoring Network stations in Port Alberni.	8
Table 4: Air quality parameters measured at air quality monitoring stations in Port Alberni.	8
Table 5: Mean monthly temperatures (°C) measured at monitoring stations in and around Port Alberni.	12
Table 6: Provincial and Federal Ambient Air Quality Objectives for CACs monitored in Port Alberni.	24
Table 7: PM _{2.5} measurements relative to provincial objectives at the Alberni Elementary and Fire Hall (MAML) monitoring stations.....	25
Table 8: Air quality results for criteria air contaminants in Port Alberni (provincial objectives in brackets, exceedances in red).	25
Table 9: PM ₁₀ measurements relative to provincial objectives at the Townsite monitoring station from 1998-2010.	42
Table 10: SO ₂ concentrations measured at the Port Alberni Elementary and the Fire Hall stations (Feb. 1, 2014 – Jan 31, 2015).	45
Table 11: NO ₂ concentrations measured at the Port Alberni BC Hydro (June 16, 2001 – Jan. 11, 2002) and the Fire Hall stations (Feb. 1, 2014 – Jan 31, 2015).....	48
Table 12: O ₃ concentrations measured at the Port Alberni BC Hydro (June 16, 2001 – Jan. 11, 2002) and Fire Hall stations (Feb. 1, 2014 – Jan 31, 2015).	51

LIST OF FIGURES

Figure 1: Location map for Port Alberni, BC.	3
Figure 2: Monitoring stations in and around Port Alberni. Historical climate data was collected at Cox Lake, Port Alberni A and Robertson Creek stations.	6
Figure 3: A closer view showing the location of the four air quality monitoring stations in Port Alberni (Alberni Elementary, BC Hydro, Fire Hall and Townsite).	7
Figure 4: Monthly mean precipitation recorded at Canadian Climate Normals Stations near Port Alberni.	10
Figure 5: Monthly mean temperature recorded at Canadian Climate Normals Stations near Port Alberni.	11
Figure 6: Mean monthly temperatures from the Alberni Elementary and Fire Hall stations compared with nearby Canadian Climate Normal Stations.	11
Figure 7: Terrain features around Port Alberni. Note Alberni Inlet to the South, the river valley running northwest of the city, the mountain pass to the northeast, and the mountains and hills otherwise encircling Port Alberni and limiting air flow (Google Maps).....	14
Figure 8: Annual and seasonal wind roses from the Port Alberni Elementary station.	15

Figure 9: Annual day and nighttime wind roses showing diurnal patterns at the Alberni Elementary station.....	16
Figure 10: Day and nighttime wind roses showing diurnal patterns over the spring at the Alberni Elementary station.	17
Figure 11: Day and nighttime wind roses showing diurnal patterns over the summer at the Alberni Elementary station	17
Figure 12: Day and nighttime wind roses showing diurnal patterns over the fall at the Alberni Elementary station.....	18
Figure 13: Day and nighttime wind roses showing diurnal patterns over the winter at the Alberni Elementary station.	19
Figure 14: Annual and seasonal wind roses from the Port Alberni Fire Hall station (MAML). Spokes on the roses represent wind coming from those compass directions, with colours denoting wind speeds.	20
Figure 15: Annual day and nighttime wind roses showing diurnal patterns at the Fire Hall station (MAML).	21
Figure 16: Day and nighttime wind roses showing diurnal patterns over the spring at the Fire Hall station (MAML).	22
Figure 17: Day and nighttime wind roses showing diurnal patterns over the summer at the Fire Hall station (MAML).....	22
Figure 18: Day and nighttime wind roses showing diurnal patterns over the fall at the Fire Hall station (MAML).	23
Figure 19: Day and nighttime wind roses showing diurnal patterns over the winter at the Fire Hall station (MAML).	23
Figure 20: Daily PM _{2.5} measurements at the Port Alberni Elementary School station from June 1, 2010 to January 31, 2015, relative to the 24-hour provincial objective.	26
Figure 21: Annual average PM _{2.5} levels across British Columbia in 2014 (BC Lung, 2015).	27
Figure 22: Temporal patterns for PM _{2.5} concentrations at the Alberni Elementary station (June 1, 2010 – Sept. 30, 2015).	28
Figure 23: Annual and seasonal pollution roses of PM _{2.5} from the Port Alberni Elementary station.....	29
Figure 24: Annual pollution rose showing diurnal patterns in PM _{2.5} concentrations at the Alberni Elementary station in 2014.	30
Figure 25: PM _{2.5} pollution roses showing day and nighttime patterns during the spring at the Alberni Elementary station.	31
Figure 26: PM _{2.5} pollution roses showing day and nighttime patterns during the summer at the Alberni Elementary station.	31
Figure 27: PM _{2.5} pollution roses showing day and nighttime patterns during the fall at the Alberni Elementary station.	32
Figure 28: PM _{2.5} pollution roses showing day and nighttime patterns during the winter at the Alberni Elementary station.	32
Figure 29: Daily average PM _{2.5} results from Alberni Elementary (BAM) and Fire Hall (E-BAM) stations (Feb. 1, 2014 – Jan. 31, 2015). Provincial 24-hour objective is 25 µg/m ³	34
Figure 30: A comparison of temporal patterns for PM _{2.5} measured at the Alberni Elementary and Fire Hall (MAML) stations over 12 months (Feb. 1, 2014 – Jan. 31, 2015).	35
Figure 31: A comparison of temporal patterns for PM _{2.5} measured at the Alberni Elementary and Fire Hall (MAML) stations during the fall months (Sept. 1 – Nov. 31, 2014).	36

Figure 32: A comparison of temporal patterns for PM _{2.5} measured at the Alberni Elementary and Fire Hall (MAML) stations during the winter months (Feb. & Dec. of 2014 and Jan. of 2015).	36
Figure 33: Annual and seasonal pollution roses of PM _{2.5} from the Fire Hall station (MAML).	37
Figure 34: Annual pollution rose showing diurnal patterns in PM _{2.5} concentrations at the Fire Hall station (MAML) in 2014.	38
Figure 35: Day and nighttime pollution roses over the spring at the Fire Hall station (MAML).	39
Figure 36: Day and nighttime pollution roses over the summer at the Fire Hall station (MAML).	39
Figure 37: Day and nighttime pollution roses over the fall at the Fire Hall station (MAML).	40
Figure 38: Day and nighttime pollution roses over the winter at the Fire Hall station (MAML).	40
Figure 39: Distribution of daily PM ₁₀ values at the Town Site monitoring station over the period 1998-2010. The 24-hour provincial objective is 50 µg/m ³	43
Figure 40: Temporal patterns for PM ₁₀ concentrations at the Townsite station from January 1 st , 1998 – December 31 st , 2010.	44
Figure 41: SO ₂ concentrations at the Alberni Elementary and Fire Hall (MAML) stations from Feb. 1, 2014 – Jan. 31, 2015.	46
Figure 42: Temporal patterns for SO ₂ concentrations at the Alberni Elementary and Fire Hall (MAML) monitoring stations in 2014/2015.	46
Figure 43. 99 th percentile of daily 1-hour maximum SO ₂ concentrations across BC (BC Lung, 2015).	47
Figure 44: Comparison of temporal patterns for nitrogen dioxide concentration at the BC Hydro (2001/2002) and Port Alberni Fire Hall (2014/2015) monitoring stations (1-hour provincial objective is 100 ppb).	49
Figure 45. Temporal patterns in nitrogen dioxide concentrations at the Fire Hall (MAML) Site - Feb 1, 2014-Jan 31, 2015.	50
Figure 46: Temporal ozone concentration comparisons at the Fire Hall (2014/2015) and BC Hydro (2001/2002) monitoring stations.	52
Figure 47. Temporal patterns in ozone concentrations at the Fire Hall Site (Feb 1, 2014-Jan 31, 2015)... 53	53
Figure 48: Annual distribution of 1-hour average ozone concentrations at the Port Alberni Fire Hall (MAML) - February 1, 2014 to January 31, 2015.	53
Figure 49. Maximum 8-hour average ozone levels across British Columbia 2014 (BC Lung, 2015).	54
Figure 50: Photo of the installation of the Nephelometer in the back seat of the vehicle with sampling intake out the side window.	60
Figure 51: Mobile Nephelometer driving route in Port Alberni (Dec. 18, 2012 to Feb. 25, 2013).	61
Figure 52: Mobile Nephelometer results for Tuesday, Dec. 18, 2012.	62
Figure 53: Mobile Nephelometer results for Monday, Jan. 7, 2013.	63
Figure 54: Mobile Nephelometer results for Monday, Jan. 14, 2013.	64
Figure 55: Mobile Nephelometer results for Monday, Jan. 21, 2013..	65
Figure 56: Mobile Nephelometer results for Tuesday, Feb. 5, 2013.	66
Figure 57: Mobile Nephelometer results for Monday, Feb. 11, 2013.	67
Figure 58: Mobile Nephelometer results for Monday, Feb. 18, 2013.	68
Figure 59: Mobile Nephelometer results for Monday, Feb. 25, 2013.	69

Executive Summary

Historical and recent measurements of ambient air quality and meteorological data from monitoring stations in and around the City of Port Alberni were examined in this report. The air pollutants that were considered include NO₂, SO₂, O₃, PM_{2.5} and PM₁₀¹.

The mountainous terrain around Port Alberni inhibits air circulation which can reduce the ability of the atmosphere to disperse pollutants. The valley location of Port Alberni also makes it susceptible to the frequent formation of temperature inversions, particularly during the colder months. An analysis of meteorological data for Port Alberni from October 2012 to January 2015 indicated that mean wind speeds were lowest in the winter and highest in the summer, and that calm wind conditions (when wind speed is below 0.5 m/s) were most frequent during the fall and winter months (up to 45% of the time). Drainage flows also appear to be an important feature in Port Alberni and can bring emissions from sources located at higher elevations to residential areas located in the valley bottom.

There were no exceedances of the BC AAQO² for PM₁₀, NO₂, O₃, or SO₂ during the period examined while there were occasional exceedances of the BC AAQO for PM_{2.5} at both fine particulate monitoring locations in the airshed. Air quality was generally good (low pollutant concentrations) at both PM_{2.5} monitoring locations during the warm months but degraded during the fall and winter. While annual average PM_{2.5} concentrations were the same for the two locations, more frequent daily exceedances of the BC AAQO occurred at the Alberni Elementary School site in North Port, and extreme values were higher in magnitude. Analysis suggests that wood smoke sources (open burning and residential wood stoves) play a significant role during these episodes.

Concentrations of O₃ measured in 2014/15 are similar to those collected at the BC Hydro site 13 years ago and any differences are within the range of what might be expected due to differences in meteorology and NO_x concentration/source influences, between the periods examined.

A comparison of the hourly mean NO₂ values recorded at the BC Hydro and Fire Hall stations over the same 8 month periods (June to January) indicated a decrease in average concentrations over the 13 years between measurements in Port Alberni. This is consistent with declines in ambient NO₂ concentrations across Canadian monitoring networks and can likely be attributed to reductions in vehicle emissions over this time.

Analysis of the SO₂ data sets from Alberni Elementary School and the Fire Hall site in 2014/15 showed that there are slightly higher concentrations measured at the Alberni Elementary site. Seasonally, SO₂ concentrations are similar at both sites during the spring and fall, higher at the Alberni Elementary site during the summer and higher at the Fire Hall site in the winter. The data collected at two locations in Port Alberni suggest that the Alberni Elementary School site is well located to capture potential SO₂ impacts from industrial and mobile sources in the valley.

There is a need to develop strategies to manage and mitigate sources of wintertime PM_{2.5} (e.g. wood smoke) in the Alberni Valley.

¹ Nitrogen dioxide, sulphur dioxide, ozone, particulate matter with a diameter of 2.5 micrometers and less, and particulate matter with a diameter of 10 micrometers and less.

² Ambient Air Quality Objective

1 Introduction

This report discusses trends and patterns in ambient air quality in Port Alberni based on data sets gathered from three stationary monitoring locations, a year-long Mobile Ambient Air Laboratory (MAML) project, and a two month mobile nephelometer monitoring study. Meteorological information from co-located sensors at two of the three ambient air monitoring stations was also examined along with data from three federal climate stations in the area. Ambient air quality data was analyzed for patterns and trends from 1998 to 2014.

Some of the key questions considered in this report include:

- What are the meteorological patterns in the valley?
- Are Common Air Contaminant (CAC) concentrations in the city meeting provincial air quality objectives, and which pollutants, if any, are of concern?
- What are the trends and patterns in CAC concentrations? What emission sources are important?
- How do fine particulate concentrations compare between two different locations in the city?
- How do fine particulate concentrations vary spatially over the city during the winter months?
- How do SO₂ concentrations compare between two different locations in the city?
- How do current O₃ and NO₂ concentrations compare to historically measured concentrations?

1.1 Site Geography

Port Alberni is located on central Vancouver Island British Columbia, 195 km north of Victoria. It lies near sea level at the head of Alberni inlet in a valley almost entirely encompassed by mountains (Figure 1). Prominent nearby topographical features include the Beaufort Range to the northwest, the highest point of which is Mt. Joan at 1156 m, and Mount Arrowsmith to the east, at 1819 m elevation. Winds tend to follow the river valley, with dominant directions from the southwest and northeast, moving in and out of the valley via Alberni inlet.

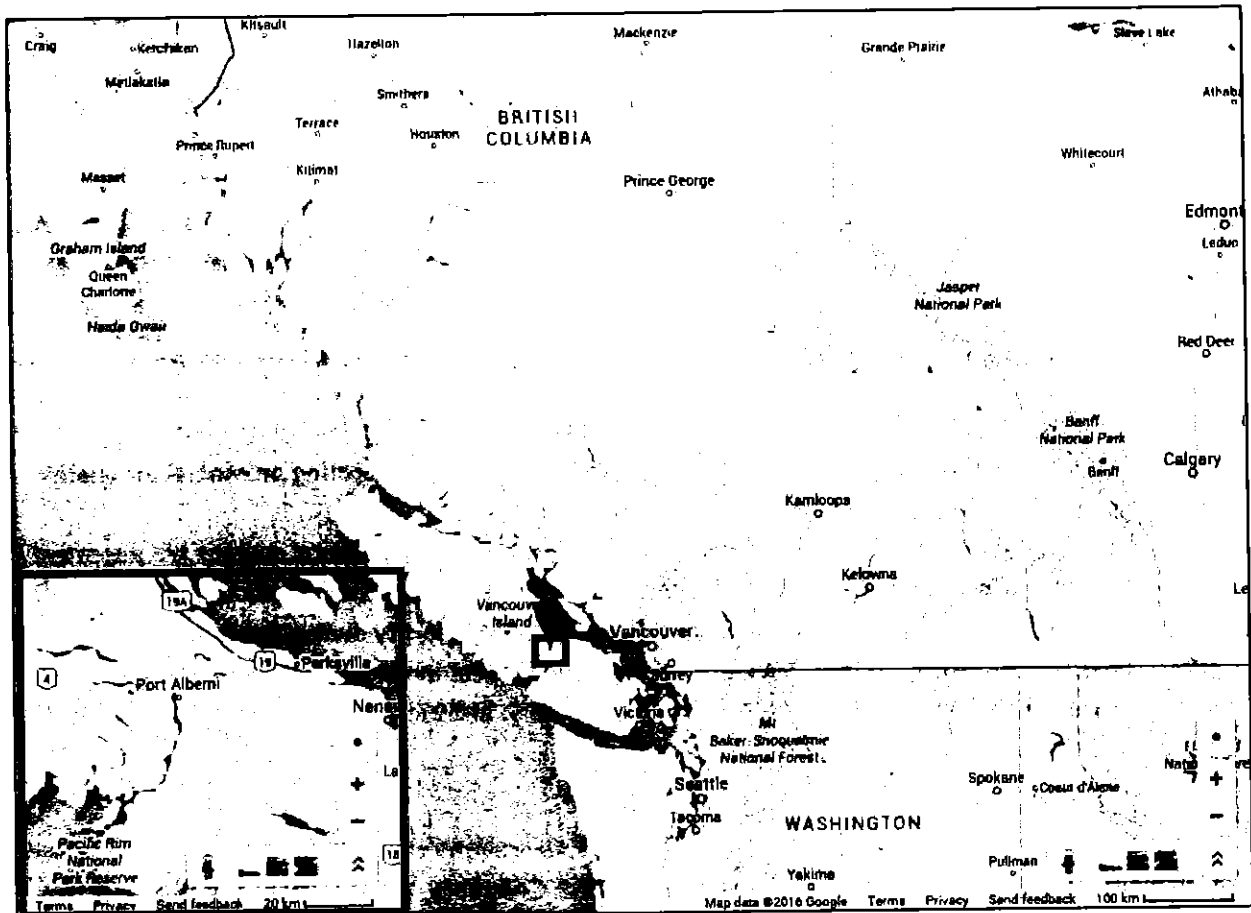


Figure 1: Location map for Port Alberni, BC.

The mountainous terrain around Port Alberni inhibits air circulation which can reduce the ability of the atmosphere to disperse pollutants. The valley location of Port Alberni also makes it susceptible to the frequent formation of temperature inversions, particularly during the cooler months. During a temperature inversion, cold air at the surface is trapped by warmer air aloft, resulting in poor vertical mixing and stagnation. High levels of air pollutants can accumulate in the valley bottom during extended periods of stagnation.

1.2 Fine Particulate Matter (PM_{2.5} and PM₁₀)

PM_{2.5}, or fine particulate, refers to particulate matter with a diameter of 2.5 micrometers (a micrometer or micron is equal to a millionth of a meter) or less. These fine particles are of particular concern from a human health perspective as they are small enough that, when inhaled, they can travel through the gas exchange portion of the lungs and into the bloodstream (Cormier et al., 2006). Short and long term exposure can cause a broad range of adverse health effects, ranging from shortness of breath and eye irritation to cardiovascular and respiratory disease, birth defects and premature death. Children, the elderly and those with pre-existing conditions are particularly at risk (Cohen et al., 2005; Laumbach, 2010; WHO, 2013). PM_{2.5} can also affect visibility and is primarily produced through combustion processes and through chemical reactions in the air. These particles are mainly associated with open burning, commercial and residential heating, transportation, and commercial/industrial emissions (Metro

Vancouver, 2014; Bates and Caton, 2002). In the Alberni Valley, the main sources of $PM_{2.5}$ include: smoke from wildfires, smoke from commercial open-burning (forest harvesting, agricultural land clearing, land clearing for new property development), smoke from residential backyard burning, emissions from residential/commercial heating (wood-heat much worse than other forms of heating), vehicle emissions, marine emissions, and commercial/industrial emissions.

PM_{10} , refers to suspended particulate matter with a diameter of 10 micrometers or less. As such, PM_{10} includes $PM_{2.5}$, and therefore has some of the same potential health implications. The coarser particles with diameters between 2.5 and 10 micrometers (coarse fraction) can generally only be deposited as far as the bronchi. However, these particles can still be particularly irritating to those with pre-existing conditions (Suzuki, 2003; WHO 2013). Coarse fraction PM_{10} particles are generally produced from grinding processes and natural sources. The coarse fraction can include pollen, road dust, and dust from construction, mining, and demolition activity. PM_{10} can also increase corrosion, decrease visual air quality, and interfere with photosynthesis in plant matter, resulting in stunted growth and increased mortality (EPA, 2009; WHO, 2005).

$PM_{2.5}$ is currently monitored at the Alberni Elementary school station. $PM_{2.5}$ was also measured at the Port Alberni Fire Hall in 2014 and was examined during a mobile Nephelometer study in the winter of 2012/2013. PM_{10} was monitored at the Townsite station from 1998-2010.

1.3 Sulphur Dioxide

Sulphur oxides (SO_x) are released during the combustion of sulphur bearing fuels. Sulphur dioxide (SO_2) makes up the great majority of SO_x in the lower atmosphere. Due to a significant lowering of sulphur levels in gasoline and on-road diesel fuel, SO_2 emissions from motor vehicles have declined considerably over the past decade. Additionally, prior to August 1st 2012, sulphur content in marine fuel for ocean going vessels could have been as high as 3.5 percent along the coast of BC. After this date, marine vessels were required to use fuel with no more than 1 percent sulphur content until the end of December 2014, after which sulphur content requirements were further reduced to 0.1 percent (EPA, 2010).

Sulphur dioxide (SO_2) is a colourless, toxic gas with an irritating smell that is produced through combustion of fuels containing sulphur compounds. At high enough concentrations, it can have adverse effects on human health and damage buildings and vegetation. Inhalation can irritate the upper respiratory tract and aggravate or even cause respiratory diseases (Metro Vancouver, 2014; WHO, 2005; WHO 2013). Major sources include the oil and gas sector and pulp and paper mills, while minor sources include transportation (particularly railways, shipping, and trucking) and residential/commercial space heating. Ambient SO_2 concentrations are currently monitored at the Alberni Elementary station and were previously monitored at the Fire Hall station in 2014 and early 2015.

1.4 Nitrogen Oxides (NO and NO_2)

NO_x (nitrogen oxides) refers to NO (nitric oxide) and NO_2 (nitrogen dioxide), both of which are produced primarily through fossil fuel combustion and biomass burning, and are also released from fertilized soils. The reaction of nitrogen with oxygen results in the production of nitrogen oxides (NO_x) during fuel combustion. NO_x also reacts with other substances in the atmosphere to produce ozone, and acid rain. NO_x gases can also contribute to the formation of secondary fine particles such as nitrates.

NO₂ is a reddish-brown, toxic gas with a sharp odour, the inhalation of which can cause acute and chronic respiratory disease (Godish, 1997; Metro Vancouver, 2014; WHO, 2005; WHO, 2013). NO₂ is corrosive due to its high potential for oxidation and can cause a reduction in visibility in its role as a smog-forming constituent. Major anthropogenic sources include mobile sources such as vehicle and marine vessel exhaust, and stationary sources such as industrial boilers, and residential home heating. Ambient NO and NO₂ concentrations were monitored at the BC Hydro station in 2001/2002 and at the Fire Hall station in 2014/2015.

1.5 Ozone

Ozone (O₃) is a pale blue gas with a pungent smell. O₃ is a photochemical oxidant that is formed in the atmosphere from chemical reactions involving NO_x, ultraviolet radiation (sunlight), oxygen and hydrocarbons (HC). Ozone is a natural component of the atmosphere, with peak concentrations experienced in the lower stratosphere where it is beneficial as it absorbs harmful ultraviolet radiation. In the lower troposphere, ground level ozone is a secondary pollutant and can be formed at considerable distances from the origin(s) of the primary pollutants. Ground level ozone can irritate the respiratory system, impair lung function and cause chronic respiratory illnesses (Metro Vancouver, 2014). Most ground level ozone is produced through the chemical reaction of NO_x (nitrogen oxides), VOCs (volatile organic compounds) and sunlight, so it is considered a secondary pollutant. At night, atmospheric chemical reactions take place in the absence of sunlight, resulting in lower ozone concentrations and a distinctive diurnal pattern (Bates & Caton 2002; WHO, 2005; WHO, 2013). Some sources of NO_x and VOCs include vehicle exhaust, industrial facilities, open burning, petroleum products, and chemical solvents. High concentrations of ozone tend to be downwind of these precursor substances. Ambient O₃ concentrations were monitored at the BC Hydro station in 2001/2002 and at the Fire Hall station in 2014/2015.

2 Datasets

Meteorological and air quality datasets from industrial (Catalyst Pulp and Paper), provincial, and federal monitoring stations in and around Port Alberni were examined in this report.

The locations of the Canadian Climate Normals Stations that provided historical data on regional climate are provided in Table 1 and labelled on the map in Figure 2. Similarly, the locations of the BC Air Quality Monitoring Network stations that provided more recent data on meteorology and air quality in Port Alberni have been provided in Table 2 and also labelled on the maps in Figure 2 and Figure 3. Information on the spatial variability of fine particulate matter concentrations across Port Alberni was obtained using a mobile Nephelometer, which is discussed further in Section 3.3.2.3. The variables contained in these datasets are discussed below.

Table 1: Canadian Climate Normals Stations near Port Alberni (Environment Canada, 2015).

Station Name	Latitude (decimal degrees)	Longitude (decimal degrees)	Elevation (m)
Cox Lake	49.20	-124.75	100
Robertson Creek	49.34	-124.98	73.75
Port Alberni A (Somas)	49.25	-124.83	2.4



Station Name	Latitude (decimal degrees)	Longitude (decimal degrees)	Elevation (m)	Period of Operation
Alberni Elementary	49.261	-124.806	17	04/2010 – Present
Fire Hall (MAML)	49.243	-124.797	45	29/01/2014-18/02/2015
Townsite (Boathouse)	49.234	-124.815	7	01/1998-12/2010
BC Hydro	49.250	-124.809	9	06/2001-01/2002
Mobile Nephelometer	Varied	Varied	Varied	12/2012-02/2013

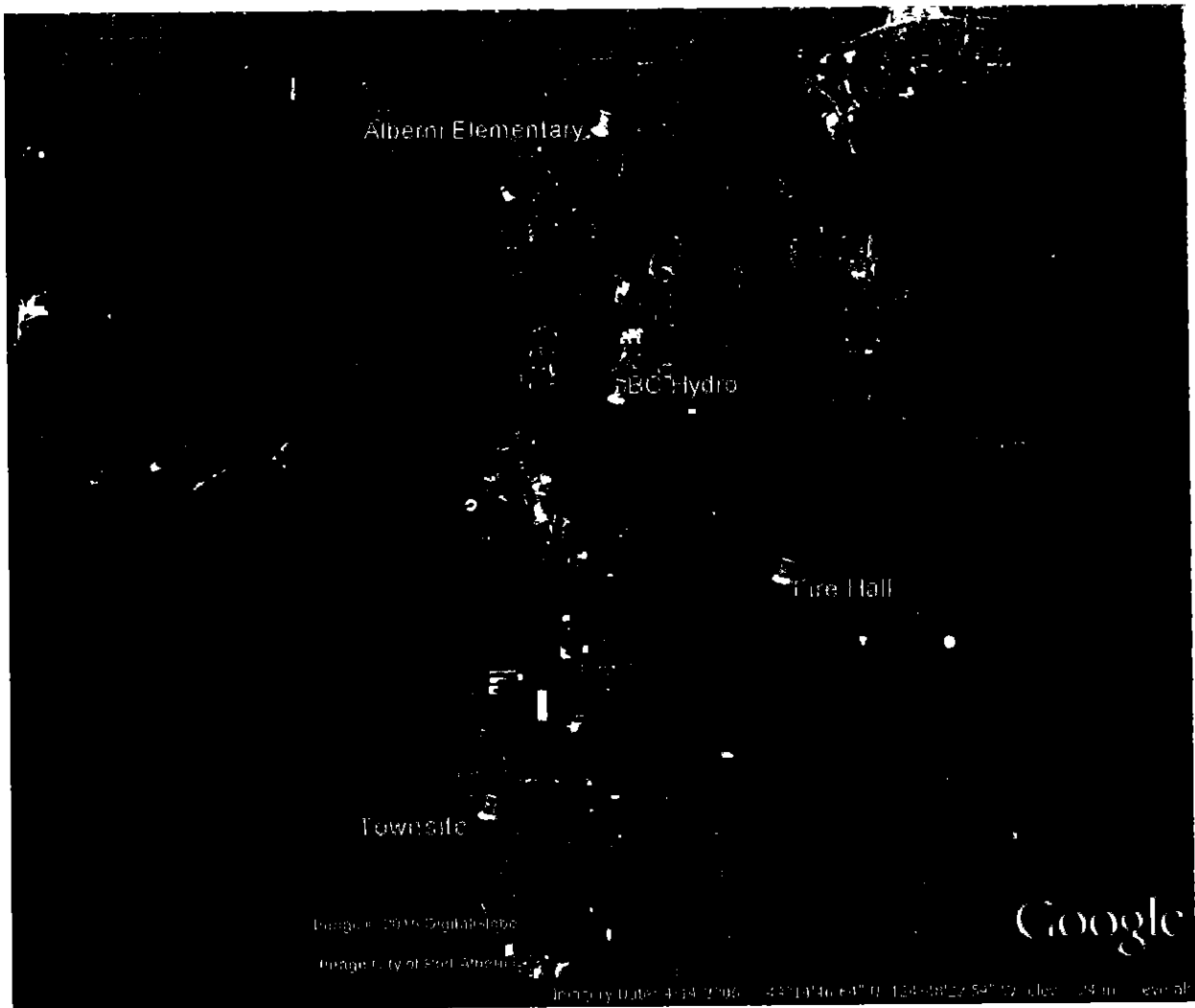


Figure 3: A closer view showing the location of the four air quality monitoring stations in Port Alberni (Alberni Elementary, BC Hydro, Fire Hall and Townsite).

2.1 Climate and Short-Term Meteorological Data

Climate refers to long term trends in environmental conditions including variables such as temperature and precipitation. In contrast, weather refers to the short term condition of the same environmental variables. Climate data is summarized using climate normals – averages of at least 15 years of data over a 30 year period. Historical climate data for the Alberni Valley was summarized from three monitoring stations (Table 1) located in and around Port Alberni – Cox Lake, Robertson Creek and Port Alberni A (Figure 2).

Meteorological data was also collected at two air quality monitoring locations in Port Alberni (see Table 3 for parameters measured and period of record) in order to help determine the weather conditions that coincide with poor air quality, as well as providing directional information that could assist with source apportionment. The stations in operation in 2014 have been provided in Table 2, and can also be seen on the map in Figure 2. Precipitation data was not collected at any of the local air quality monitoring stations.

Table 3: Meteorological parameters measured at BC Air Quality Monitoring Network stations in Port Alberni.

Station Name	Meteorological Parameters Measured				
	Wind Speed	Wind Direction	Temperature	Relative Humidity	Precipitation
Alberni Elementary (Oct. 12, 2012- Jan. 31, 2015)	✓	✓	✓	✓	
Fire Hall (MAML) (Feb. 1, 2014- Jan. 31, 2015)	✓	✓	✓	✓	

2.2 Air Quality Data

Over the last 15 years, ambient air monitoring has been in place for a number of different air pollutants in Port Alberni. The parameters examined, the time period monitored and the location of the various monitoring sites are provided in Table 2, Table 4 and Figure 3. These monitoring programs and short-term monitoring projects were put in place for various purposes.

Table 4: Air quality parameters measured at air quality monitoring stations in Port Alberni.

Station Name	Air Quality Parameters Measured					
	PM _{2.5}	PM ₁₀	NO ₂	NO	SO ₂	O ₃
Alberni Elementary	✓ (BAM1020) 05/2010- Present				✓ (API T100) 01/2014- Present	
Fire Hall (MAML) 01/2014-02/2015	✓ (E-BAM)		✓ (TECO42i)	✓ (TECO42i)	✓ (TECO43i)	✓ (API400E)
Townsite (Boathouse) 01/1998-12/2010		✓ (TEOMAB)				
BC Hydro 06/2001-01/2002			✓ (API200A)	✓ (API200A)		✓ (API400A)
Mobile Nephelometer 12/2012-02/2013	✓ (Radiance M903)					

Historical ambient air monitoring for PM₁₀ (fine particulate less than 10 micrometers in diameter) was carried out by Catalyst Paper at the Townsite monitoring location as a requirement under their air emissions permit (PA-01863). It was later determined that PM_{2.5} (fine particulate less than 2.5 micrometers in diameter) was a more relevant parameter from a human health perspective and Catalyst was required to monitor for this parameter at the Alberni Elementary School location beginning in 2010 – the Townsite PM₁₀ monitoring site was subsequently closed. The Alberni Elementary School monitoring site is the active core monitoring site in Port Alberni. The data from this site is reported out to the public on a near real-time basis through the Ministry of Environment bcairquality.ca website.

The BC Hydro monitoring site was established for 7-8 months in 2001/2002 to collect baseline information on Ozone (O₃) and Nitrogen Dioxide (NO₂) during an Environmental Assessment process. The purpose of a year-long MAML study at the Port Alberni Firehall in 2014 was to obtain a snap-shot of conditions to compare to ambient air quality objectives, and to historical baseline concentrations (O₃ and

NO₂) to assess if there has been any change in the past 13 years. The MAML study was also used to compare PM_{2.5}, Sulphur Dioxide (SO₂), and meteorology to the same data collected at the Alberni Elementary School over the same time period. A mobile Nephelometer study was conducted during the winter months of 2012/2013 to examine spatial differences in PM_{2.5} concentrations across the community.

2.3 Data Validation Criteria

MoE requires at least 75% data availability in order for a data set to be considered valid. As such, valid daily averages (midnight to midnight) require at least 18 hourly measurements. Due to seasonal variability, annual data sets require at least 75% of calendar days in each quarter to be valid in order for that year's data to be considered valid. In addition, ozone data requires 75% completeness for the combined 2nd and 3rd quarters (April 1 to September 30). See the CCME site for further information on data completeness guidance (CCME, 2012).

Data sets that did not meet data completeness requirements have been flagged in this report.

3 Results

Meteorological and air quality results are presented below, accompanied by a discussion of patterns identified in the results.

3.1 Climate

Port Alberni is part of the South Coast region of BC, which has a modified version of the Mediterranean climate, featuring a well-defined dry season in summer and cool, wet conditions for much of the remainder of the year. The seasonal variation in precipitation is due to the seasonal shifts of the North Pacific High, which occupies its most northerly position in summer thus deflecting storm systems towards the northern Coast and Alaska. In fall, the North Pacific High shifts southward and the westerly jet stream strengthens ushering lows and fronts across Vancouver Island and into the southern BC mainland. The waters of the Pacific Ocean moderate the air temperatures of the South Coast, resulting in a much smaller temperature range than that of continental regions east of the Coast Mountains (Stantec, 2013).

3.1.1 Precipitation and Temperature

Climate Normals data were obtained from three monitoring stations near Port Alberni – Cox Lake, Robertson Creek, and Port Alberni A (Figure 2). Monthly mean precipitation was very similar between the three stations, though the station closest to the city (Port Alberni A) recorded the lowest values (Figure 4), particularly during the winter months. This could be due to its lower elevation (2.4m) relative to Cox Lake (100m) and Robertson Creek (74m). On average, the lowest precipitation rates occurred in July at all three sites with the highest levels occurring between November and January.

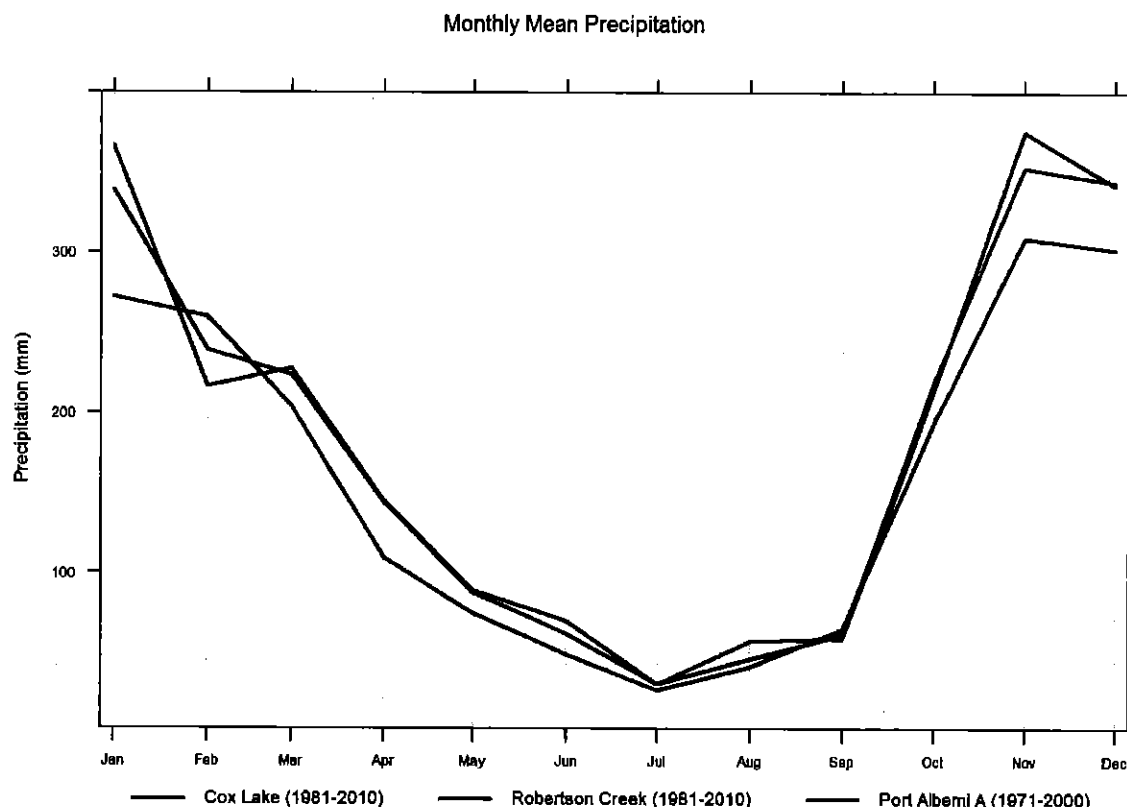


Figure 4: Monthly mean precipitation recorded at Canadian Climate Normal Stations near Port Alberni.

Monthly mean temperatures at the Cox Lake, Robertson Creek, and Port Alberni A stations were also very similar (Figure 5). Recent temperature information was also collected at the Alberni Elementary and Port Alberni Fire Hall ambient air monitoring stations. Relative to the 30-year mean climate normals stations referenced above, mean monthly temperatures recorded at Alberni Elementary and Fire Hall in 2014 were cooler in February and warmer through the summer and fall. Temperatures recorded at the Alberni Elementary station in 2013 were much more typical as they matched up much more closely to the climate normals data (Figure 6). Note that temperature data from the Fire Hall from Nov. 27th and 28th and all of December were removed due to invalid readings. A summary of mean monthly temperatures from all sites can also be seen in Table 5.

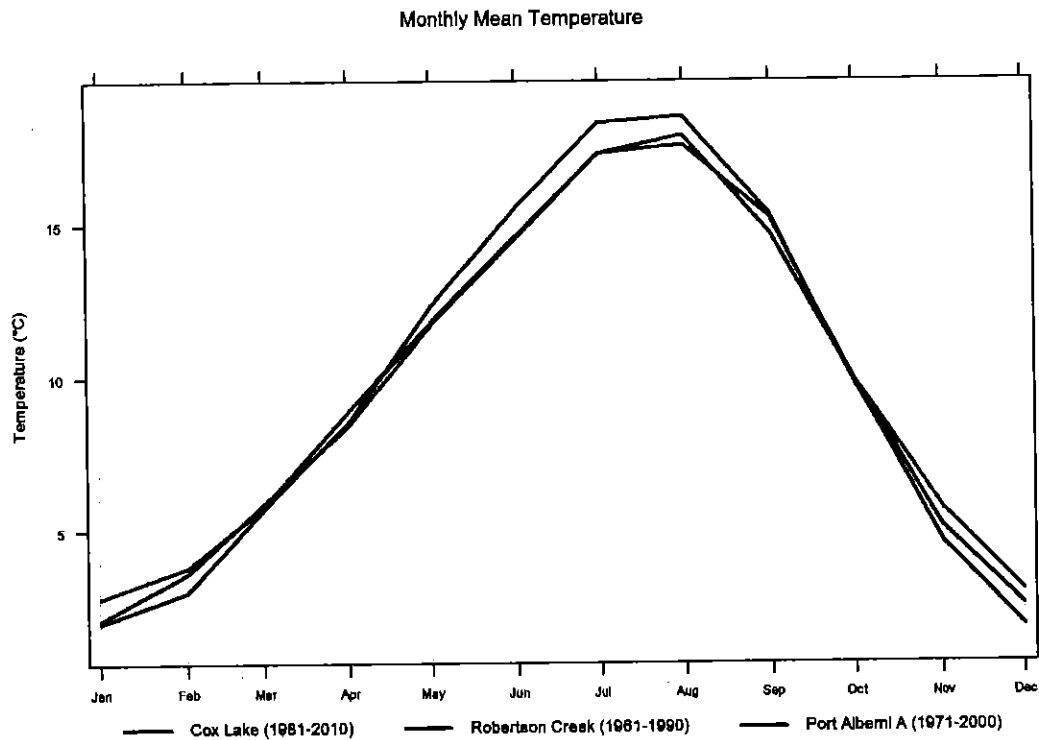


Figure 5: Monthly mean temperature recorded at Canadian Climate Normal Stations near Port Alberni.

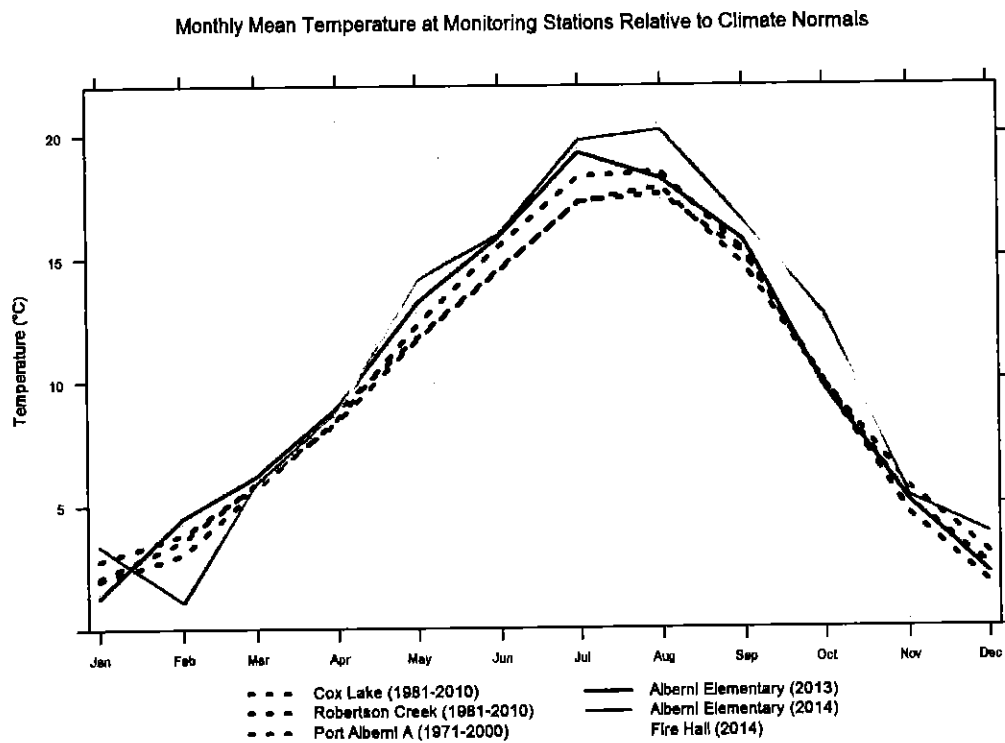


Figure 6: Mean monthly temperatures from the Alberni Elementary and Fire Hall stations compared with nearby Canadian Climate Normal Stations.

Table 5: Mean monthly temperatures (°C) measured at monitoring stations in and around Port Alberni.

	Cox Lake	Robertson Creek	Port Alberni A	Alberni Elementary	Alberni Elementary	Fire Hall
Year(s) monitored	1981- 2010	1981-2010	1971-2000	2013	2014	2014
January	2.8	2.0	2.1	1.3	3.4	N/A
February	3.8	3.0	3.6	4.5	1.1	0.8
March	5.8	5.7	5.9	6.2	5.9	5.8
April	8.9	8.5	8.4	9.0	8.8	8.8
May	11.8	12.3	11.7	13.2	14.1	14.2
June	14.6	15.5	14.5	15.9	16.0	16.3
July	17.3	18.3	17.3	19.3	19.8	20.3
August	17.6	18.5	17.9	18.2	20.2	20.5
September	15.2	15.3	14.7	15.7	16.5	16.6
October	9.9	9.8	9.9	9.7	12.7	12.5
November	5.7	4.6	5.1	5.1	5.3	5.6
December	3.0	1.8	2.5	2.2	3.8	N/A

3.2 Meteorology

3.2.1 Influence of Meteorology on Air Quality

In order to understand air quality, an understanding of the state of the atmosphere is necessary. For example, elevated ambient particulate levels coincident with calm or very light wind speeds may be indicative of local pollutants accumulating near the point of origin (e.g. wood stove smoke, road dust and automobile exhaust). The same levels of particulate associated with a moderate wind may well indicate transport of pollutants from a source outside of the local area (e.g. forest fires, open burning, industrial emissions, etc.). The likely source of elevated particulate levels during a strong wind event may be wind-blown soil particles.

Calm (wind speeds less than 0.5 m/s) and light wind conditions are generally associated with a stable atmosphere and either elevated (e.g. frontal, etc.) or ground-based inversions. In Port Alberni, as in other communities located in river valleys, ground-based *nocturnal* or *radiation* inversions occur with the greatest frequency. These temperature inversions (when temperature increases with height above ground) are associated with a climatological process known as radiative cooling. At nighttime, the heat energy that the earth receives from the sun during the day is radiated back to space as long wave radiation. As the ground cools, the air in immediate contact with it also cools and mixing extends this cooling upward, creating the nocturnal inversion. The inversion deepens over the course of the night and may reach its maximum depth just after sunrise. Light winds, cloudless skies and long nights (e.g. winter months) favor the development of deep, strong radiation inversions (Angle and Sakiyama, 1991).

The topography in and around Port Alberni also influences the local meteorology and the pollution potential in the valley bottom. On clear nights the surface air cools on the surrounding hillside slopes in the same manner as described above, and becomes dense. This heavy air flows downhill to the valley floor (similar to the flow of water), displacing the warm air which is forced aloft. These light winds, termed drainage or katabatic winds, are a regular occurrence during clear nights in most mountainous regions of the world (Angle and Sakiyama, 1991). The nocturnal temperature inversion that would already be forming in the valley bottom due to radiative cooling at the surface is intensified by these cold drainage flows. Pollutants released at ground level would tend to travel with these katabatic flows and accumulate in the valley bottom within the inversion layer. These conditions may lead to degraded air quality in the valley bottom. Note that in some cases, stronger katabatic flows can also have a cleansing effect.

Although the term inversion has come to be synonymous with air pollution problems, this is a misleading generalization. In reality the base height, thickness and strength of the inversion relative to the source of pollutants must be considered. For example, a ground-based inversion a few hundred meters thick certainly creates a potential air pollution situation in an urban area where most sources of pollutants are at or near ground level. However, the plumes from even moderately tall stacks are likely to rise above the inversion and disperse in the less stable air above. The ground-based inversion will then effectively block this industrial pollution from reaching the ground. However, with thick ground-based inversions, the plumes from tall stacks may become embedded. Elevated inversions are responsible for reducing the dispersion of plumes from tall stacks. If the base of the inversion lies slightly above the level of the plume, then the volume of air available for dilution is severely limited. The elevated inversion acts as a lid restricting mixing in the vertical, reducing dilution and increasing ground level concentrations (Angle and Sakiyama, 1991).

High ground level concentrations (GLCs) of pollutants can also occur during inversion break up. This phenomenon is known as “fumigation”. Fumigation occurs when daytime solar heating is sufficient to produce a neutral or unstable layer that reaches the height of a pollutant plume that is trapped within the inversion layer. When this happens, the pollutants within this layer are brought to the ground more or less simultaneously along the full length of the plume. This condition produces high GLCs but generally only for a short period of time (up to 30 minutes) in flat terrain. It should be noted that in valley bottom locations like Port Alberni, fumigation can last for several hours depending on how fast the ground is being heated and how thick the polluted layer is.

3.3 Wind

Wind direction patterns in Port Alberni are influenced in large part by the topography in and around the city. Air flows into the valley via the river valley to the northwest of the city, along the Alberni Inlet to the south, and can drain down (Katabatic flows) from most directions off the surrounding hills and mountains (Figure 7). There is also a mountain pass to the northeast of the city that allows air movement to and from the Strait of Georgia between the Beaufort Range to the north and Mount Arrowsmith to the east.

Wind speed and direction was monitored at the Alberni Elementary School in 2013 and 2014 and at the Alberni Fire Hall station in 2014 only. The Fire Hall station measured these variables with meteorological

sensors attached to an E-BAM (Environmental Beta Attenuation Monitor) situated at 5.5m above ground level. Meteorological variables at the Alberni Elementary Station were measured using a 10m meteorological tower located on the roof of the two-story school. As the wind sensor at Alberni Elementary was much higher above the ground, it would be expected to measure higher wind speeds less influenced by surface roughness, while measurements from the Fire Hall would be expected to be more reflective of local wind patterns influenced by nearby terrain and buildings.

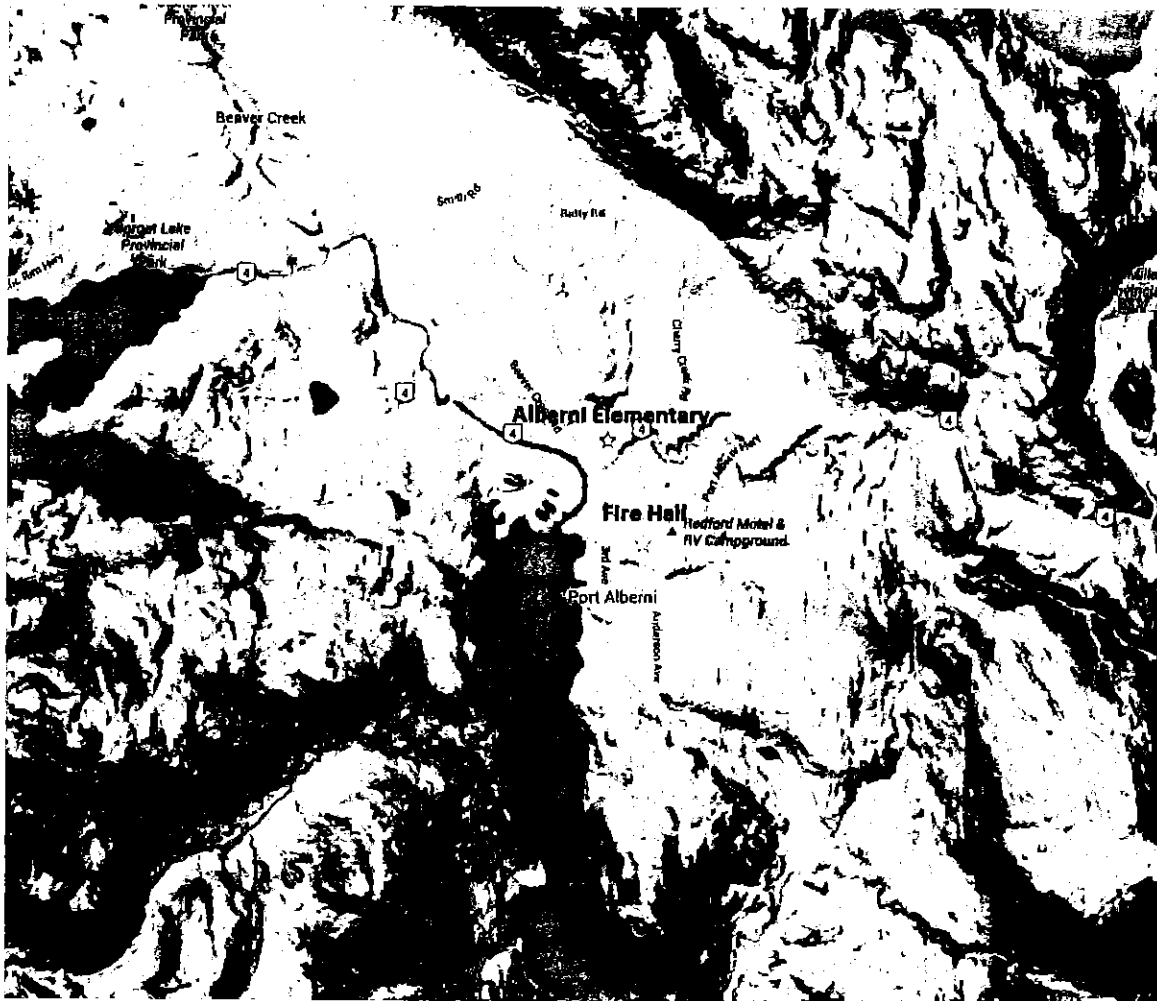


Figure 7: Terrain features around Port Alberni. Note Alberni Inlet to the south, the river valley running northwest of the city, the mountain pass to the northeast, and the mountains and hills otherwise encircling Port Alberni and limiting air flow (Google Maps).

A wind rose shows the frequency at which wind blows at certain speed ranges from certain directions at a given location. The wind direction in a wind rose refers to where the winds are blowing from and the direction of the longest spoke on the wind rose indicates the direction wind blows from with the greatest frequency. Wind roses were produced for both sites for the same monitoring period (February 2014-January 2015) so that direct comparisons could be made.

3.3.1 Alberni Elementary

The 2014/15 annual wind rose for the Alberni Elementary School shows that winds were predominantly coming from the northeast and southwest (Figure 8). Winds flowing from the south up the Alberni inlet would tend to turn to the southwest as they follow the Somass River near this location. When broken down by season, most of the higher wind speeds that came from the southwest and northeast occurred during the spring (March, April and May) and summer (June, July and August) months. Autumn (September, October and November) is dominated by winds from the northeast, while much lighter winds came mainly from the north sector in the winter (December, January and February). Calm conditions (when wind speed is below 0.5 m/s) were most prevalent in the winter. The mean wind speeds were lowest in the winter and highest in the summer. Lighter wind speeds and a high frequency of calms (22.4% of the time) during the winter period would result in poor atmospheric dispersion and could lead to a build-up of pollutants in the area.

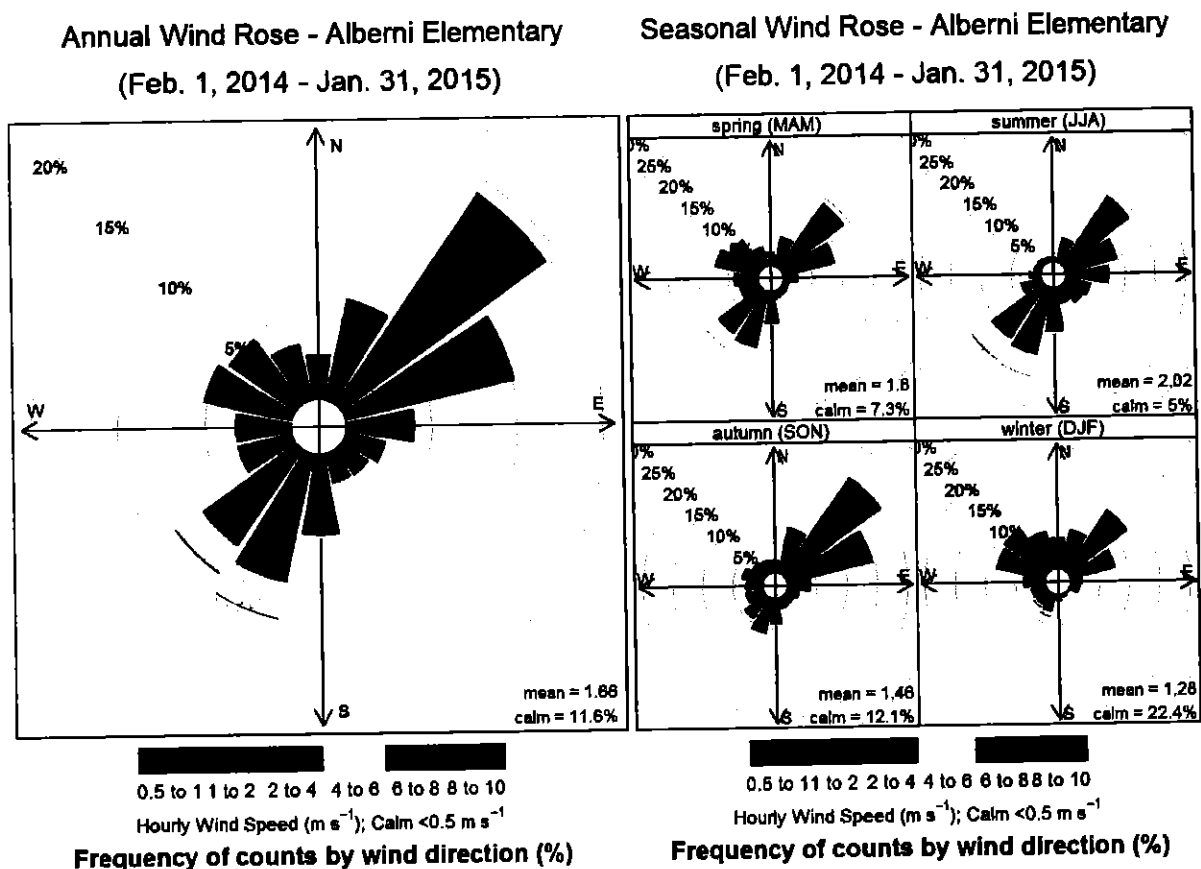


Figure 8: Annual and seasonal wind roses from the Port Alberni Elementary station. Spokes on the roses represent wind coming from those compass directions, with colours denoting wind speed class.

Annual and seasonal wind roses were produced for the daytime and nighttime hours to examine differences in diurnal wind patterns. Figure 9 presents the annual wind roses from Alberni Elementary broken down by day and nighttime hours. During the day, the prevailing winds were either up the Alberni Inlet from the southwest or through the mountain passes to the northeast of Alberni Elementary. The stronger winds associated with large weather systems would be channelled by the local terrain into these

directions, while a daytime sea breeze (particularly during the summer months) would also contribute to higher frequencies of southwest winds at this site (although much lighter). A sea breeze occurs due to the different heat capacities of land and water. During the summer, when skies are clear and winds are light, land surfaces heat more rapidly than water. As this air warms, it expands and rises as its pressure decreases. Cooler, higher pressure air above water is drawn toward the lower pressure above the land and replaces the rising air, resulting in a sea breeze. At nighttime, the winds are generally much lighter as energy from the sun isn't driving the system. Winds measured at the Alberni Elementary School during the nighttime period (Figure 9) were lighter and predominantly from the northeast sector. This suggests that a large portion of the air flowing past Alberni Elementary at night was coming from the foothills and mountains to the northeast of the school (through the Cherry Creek area) in the form of light katabatic winds or drainage flows.

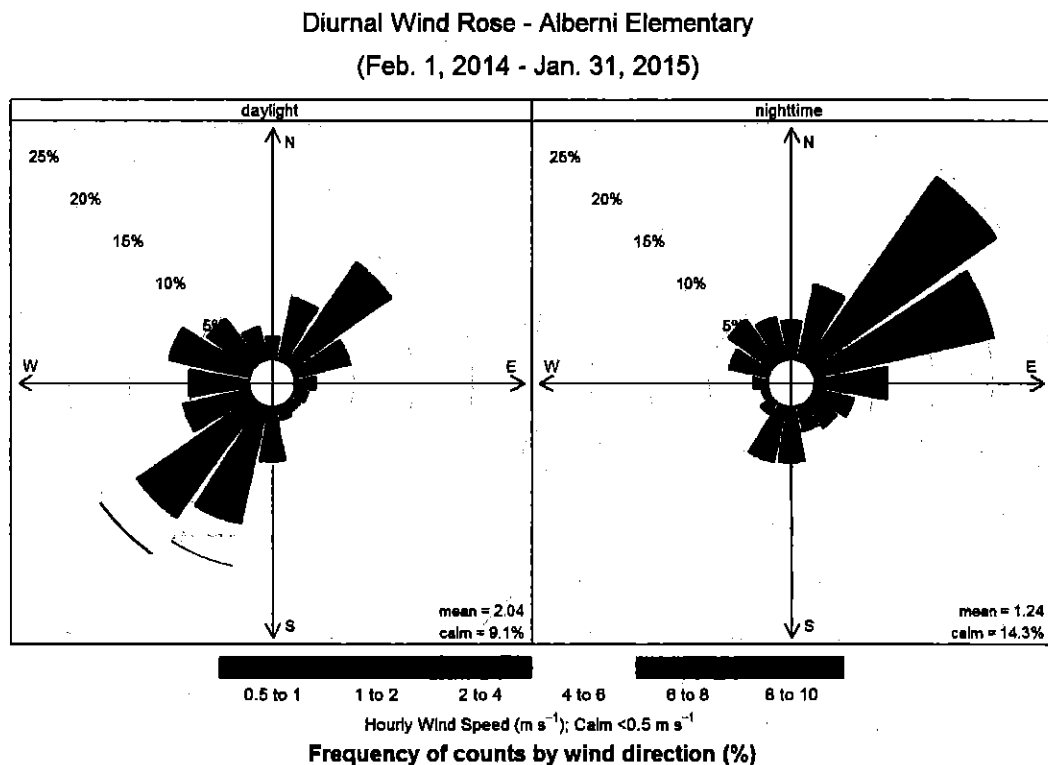
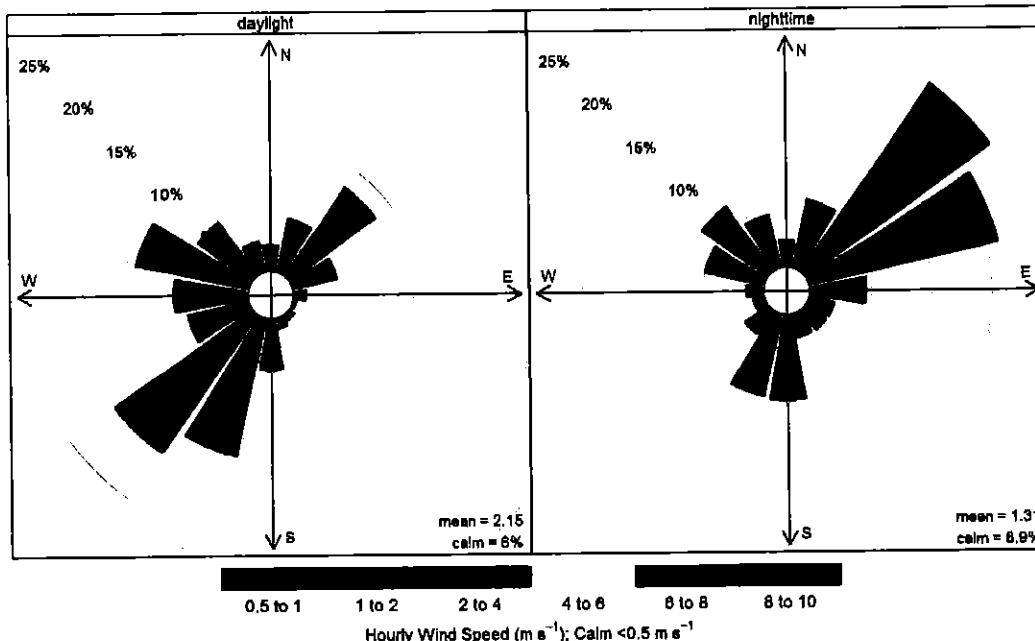


Figure 9: Annual day and nighttime wind roses showing diurnal patterns at the Alberni Elementary station.

Daytime versus nighttime wind patterns in the spring of 2014 were quite similar to annual average patterns, with stronger winds blowing mainly from the southwest, and to a lesser degree the northeast, during the day, and lighter winds being directed from the surrounding terrain features to the northeast and east at night (Figure 10). Spring is a transitional period that can feature synoptic scale storms as well as more thermally driven patterns such as land and sea breezes, which are more typical of summer. It is notable that northwest winds were largely absent during the summer months (Figure 11).

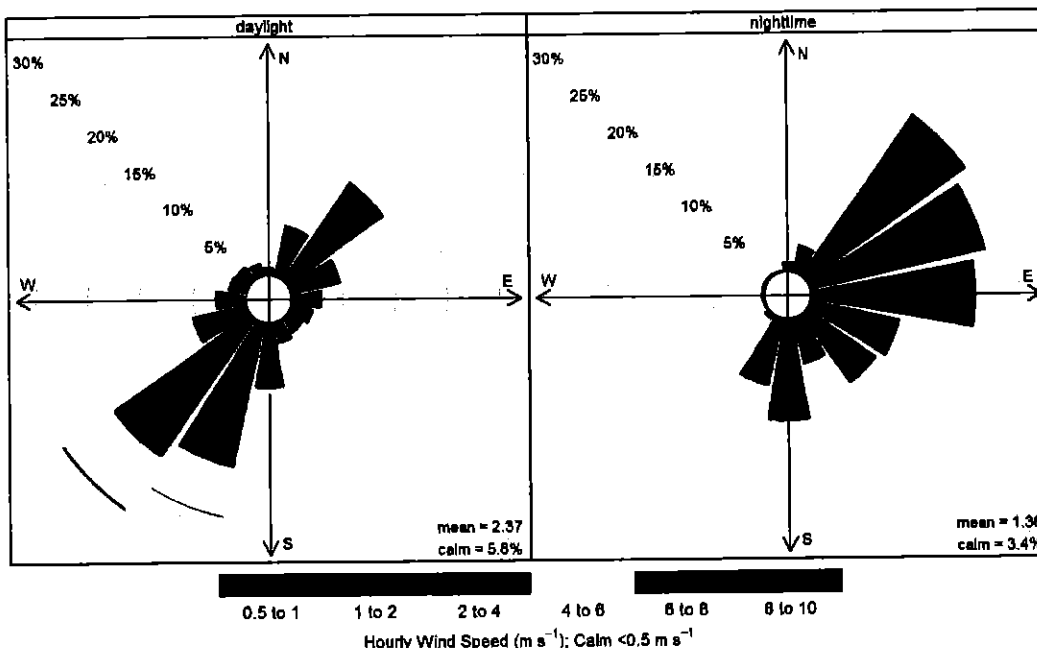
Spring Diurnal Wind Rose - Alberni Elementary
(March 1 - May 31, 2014)



Frequency of counts by wind direction (%)

Figure 10: Day and nighttime wind roses showing diurnal patterns over the spring at the Alberni Elementary station.

Summer Diurnal Wind Rose - Alberni Elementary
(June 1 - August 31, 2014)



Frequency of counts by wind direction (%)

Figure 11: Day and nighttime wind roses showing diurnal patterns over the summer at the Alberni Elementary station

In the fall, winds were lighter, with a higher frequency of calms. During the daytime, winds from the southwest were less prevalent than in warmer months, and tended to be equally split between southwest and northeast. At night, fall winds were dominated by light drainage flows from the mountain pass to the northeast (Figure 12).

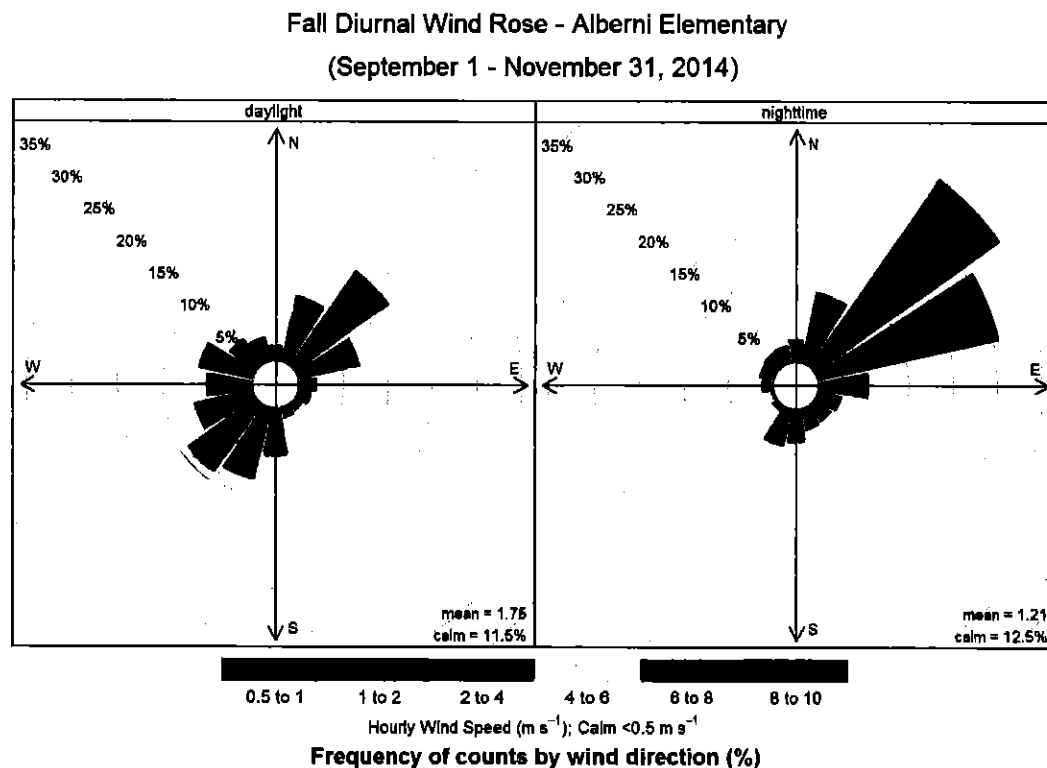


Figure 12: Day and nighttime wind roses showing diurnal patterns over the fall at the Alberni Elementary station.

Calms and light winds were the most frequent during the winter, during both the day and night (Figure 13). This is indicative of stable conditions during the coldest months of the year. During the day, lighter winds primarily flowed down the valley from the northwest, with stronger winds associated with weather events occasionally coming up from Alberni Inlet to the south, and over the mountain pass to the northeast. At night, light winds dominated from the northwest and northeast.

Winter Diurnal Wind Rose - Alberni Elementary
(Feb. & Dec., 2014 & Jan. 2015)

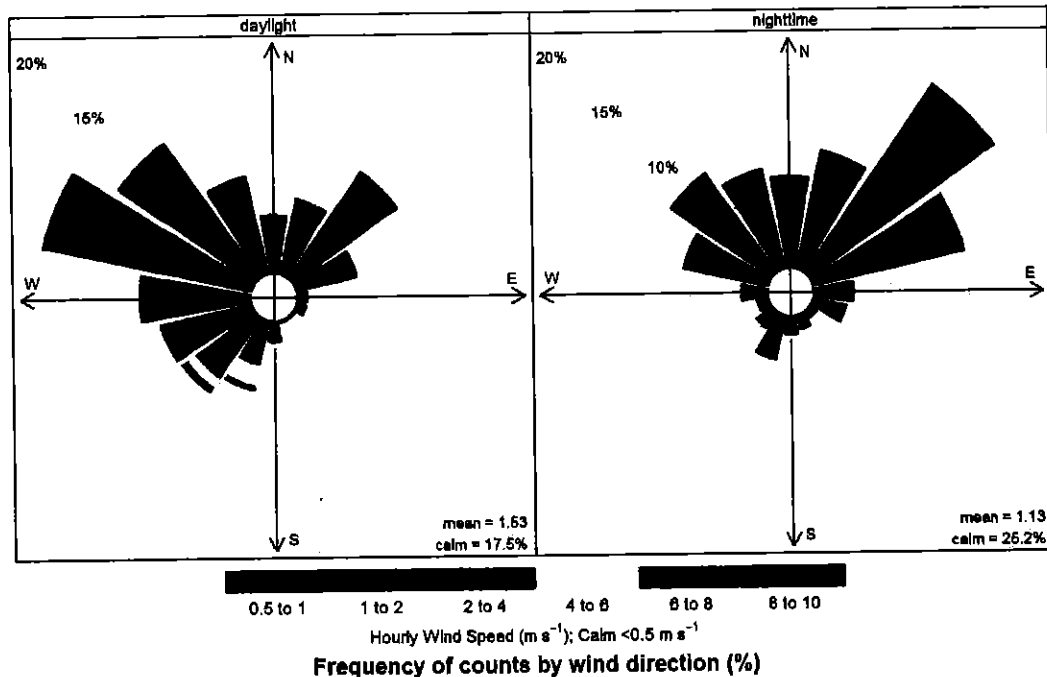


Figure 13: Day and nighttime wind roses showing diurnal patterns over the winter at the Alberni Elementary station.

3.3.2 Port Alberni Fire Hall (MAML)

Wind speeds and directions at the Fire Hall station were quite different to those measured at the Alberni Elementary station in 2014/15. At the Fire Hall, the prevailing wind on an annual basis was from the south and southeast, mainly due to the channeling effect of the Alberni Inlet which is oriented in a north/south fashion (Figure 14) at this location. Seasonal patterns in spring and summer were similar to the annual patterns, with higher wind speeds coming from the south sector. The autumn wind rose shifted to lighter winds from all wind directions, with the highest frequency of stronger winds coming from the south and southeast. During the winter, patterns were more similar to those found at the Alberni Elementary School with lighter winds generally coming from the north sector although there was a southeast component here as well. Overall, wind speeds were generally lower at the Fire Hall. The Fire Hall site exhibited a higher frequency of light winds from all directions and had a higher incidence of calm winds than Alberni Elementary (32.3% of the time vs. 11.6%). This is likely in part because the sensor at the Fire Hall was located much closer to the ground (5.5m) than the sensor at Alberni Elementary (~25m) and would be more easily influenced by local surface roughness features like terrain and buildings.

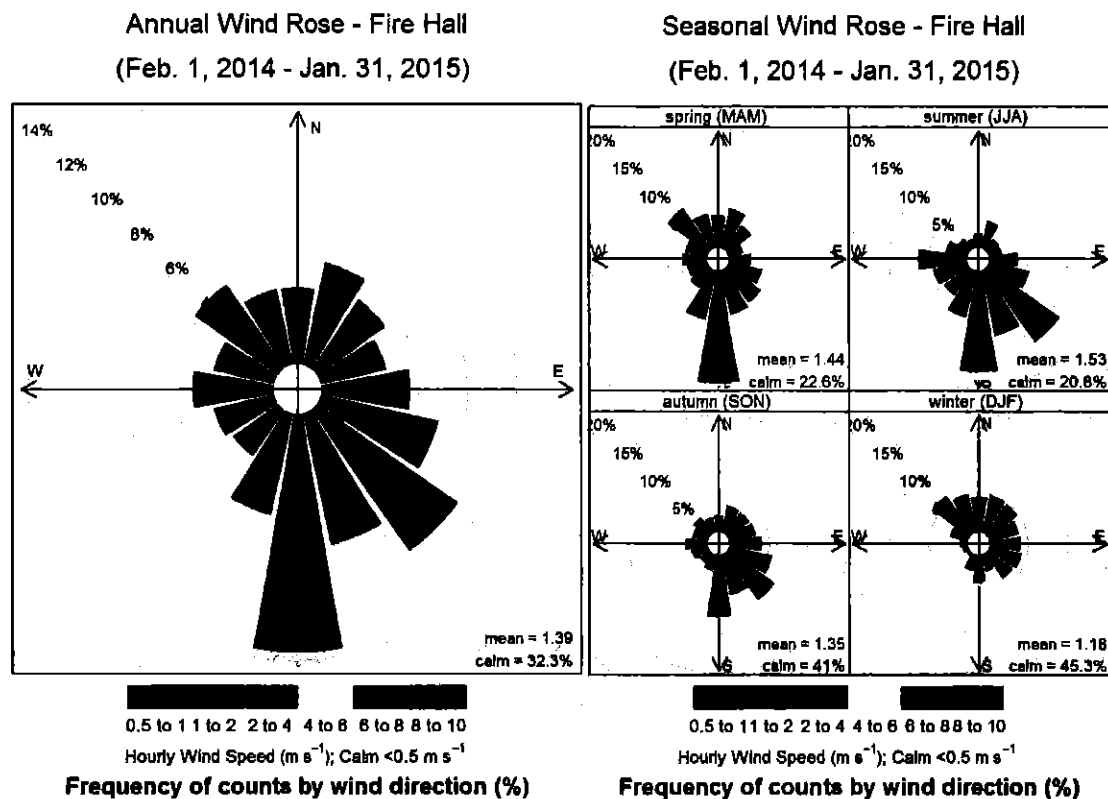


Figure 14: Annual and seasonal wind roses from the Port Alberni Fire Hall station (MAML). Spokes on the roses represent wind coming from those compass directions, with colours denoting wind speeds.

Figure 15 presents the annual diurnal wind roses for the Fire Hall. Light nighttime drainage winds at the Fire Hall site had a similar northeastern component to the Alberni Elementary site, but there were additional stronger easterly and southeasterly components as well. This suggests that drainage winds from the surrounding terrain will have different effects depending on the location in the City and the dominant terrain features in these directions (e.g. mountains, hills, secondary valleys, etc.). There were also some higher wind speeds at night from a more southerly direction that are likely associated with larger scale weather systems being channelled along the inlet. These same patterns existed at the Alberni Elementary site but more of the stronger winds were channelled in a southwestern direction due to local terrain effects.

Diurnal Wind Rose - Fire Hall
(Feb. 1, 2014 - Jan. 31, 2015)

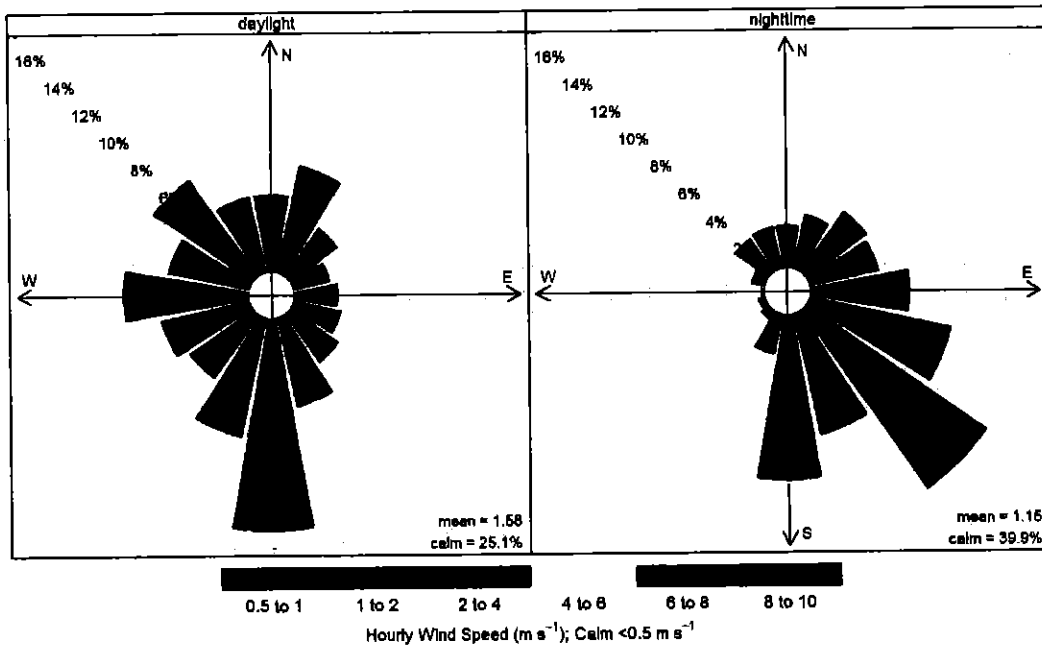


Figure 15: Annual day and nighttime wind roses showing diurnal patterns at the Fire Hall station (MAML).

Seasonally at the Fire Hall site, stronger winds came from the Alberni Inlet out of the south, and occurred both during the day and at night during the spring and summer months (Figure 16 and Figure 17). Stronger winds also blew from the north and northeast, especially during daylight hours in the fall and winter (Figure 18 and Figure 19). Lighter drainage flows from the southeast (from the Arrowview Heights area) were common at night throughout the year at the Fire Hall site. Light winds from the west and northwest were also observed during daylight hours in all seasons, and were most common in the summer and winter.

Spring Diurnal Wind Rose - Fire Hall
(March 1 - May 31, 2014)

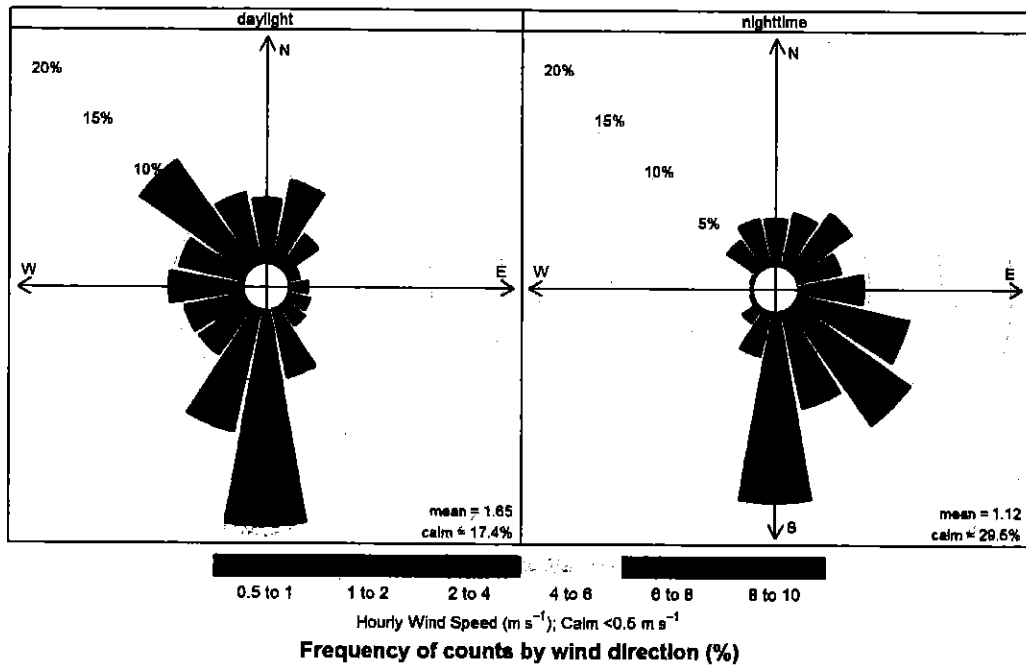


Figure 16: Day and nighttime wind roses showing diurnal patterns over the spring at the Fire Hall station (MAML).

Summer Diurnal Wind Rose - Fire Hall
(June 1 - August 31, 2014)

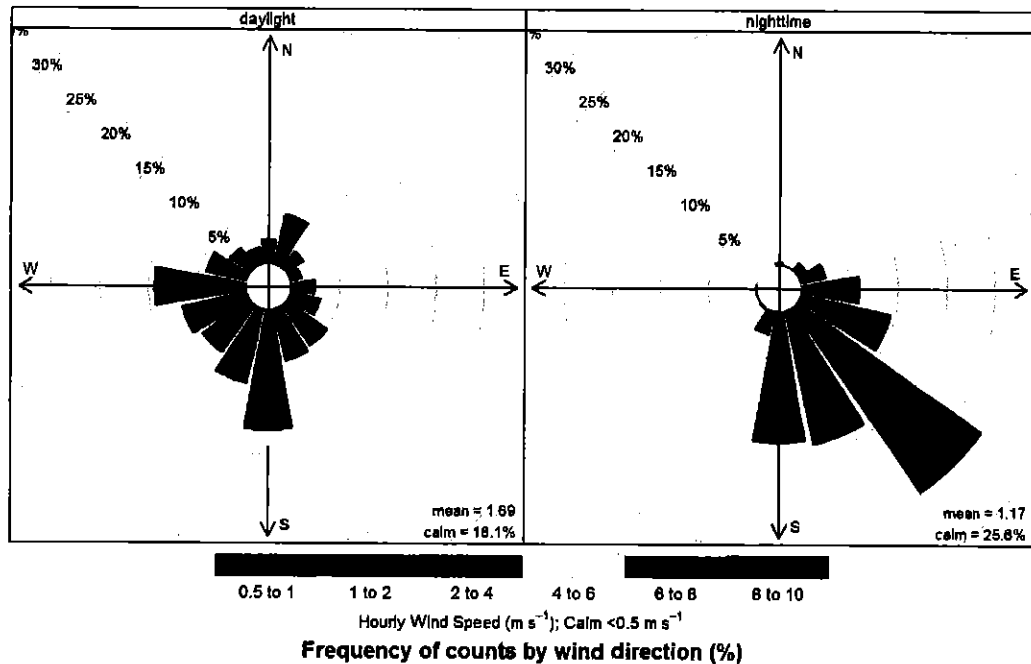


Figure 17: Day and nighttime wind roses showing diurnal patterns over the summer at the Fire Hall station (MAML).

Fall Diurnal Wind Rose - Fire Hall
(September 1 - November 31, 2014)

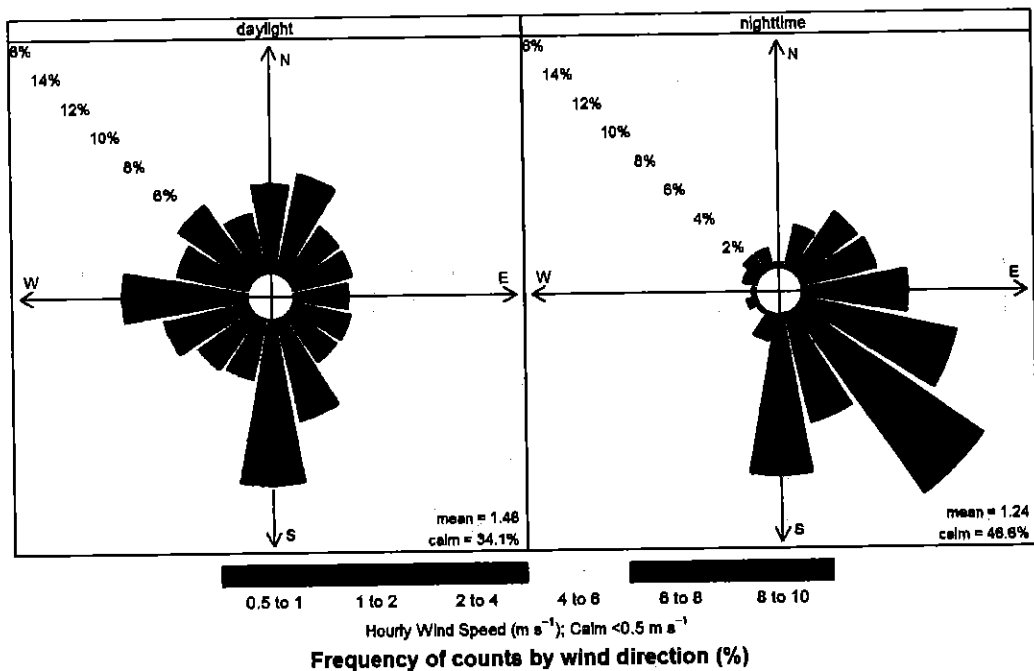


Figure 18: Day and nighttime wind roses showing diurnal patterns over the fall at the Fire Hall station (MAML).

Winter Diurnal Wind Rose - Fire Hall
(Feb. & Dec., 2014 & Jan. 2015)

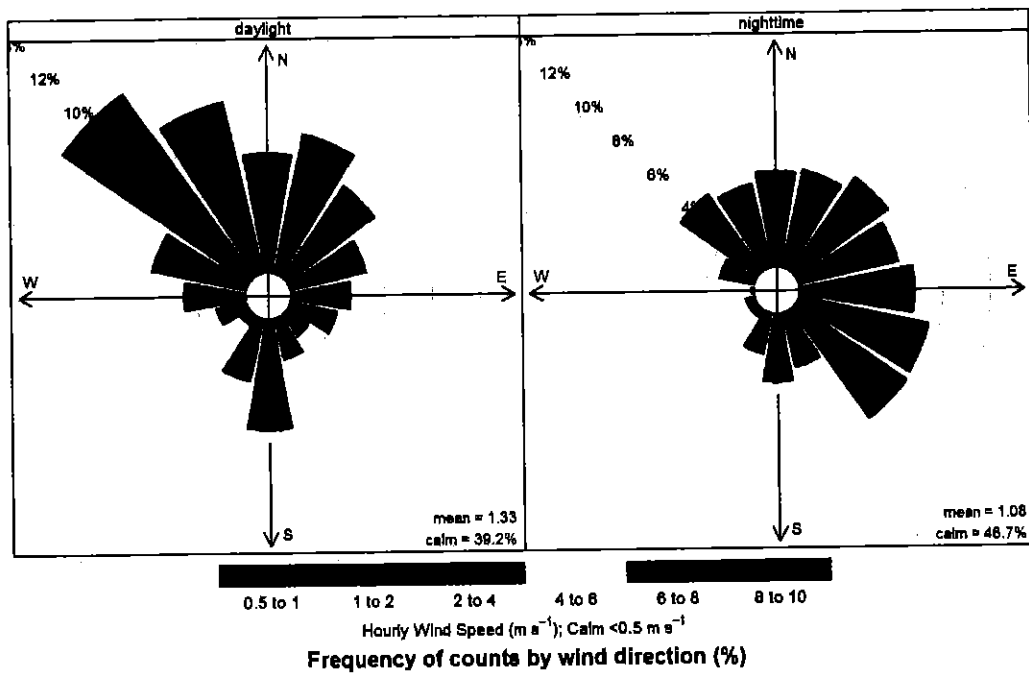


Figure 19: Day and nighttime wind roses showing diurnal patterns over the winter at the Fire Hall station (MAML).

3.4 Air Quality

3.4.1 BC Ambient Air Quality Objectives

The province of BC has developed Ambient Air Quality Objectives (AAQOs) to help inform decisions on air quality management in BC communities and air sheds. While there are also federal air quality targets (Canadian Ambient Air Quality Standards – CAAQS), this report will only refer to the BC AAQOs for PM_{2.5}, because they are either equal to, or more stringent than the CAAQS. The BC AAQOs and CAAQS for air contaminants considered in this report are provided in Table 6.

Table 6: Provincial and Federal Ambient Air Quality Objectives for CACs monitored in Port Alberni.

Pollutant	Averaging period	BC Objective
PM _{2.5}	24-hour ¹	25 µg/m ³
	Annual	8 µg/m ³
PM ₁₀	24-hour	50 µg/m ³
SO ₂	1-hour ²	75 ppb
NO ₂	1-hour ³	100 ppb
	Annual	32 ppb
O ₃	1-hour ⁴	82 ppb
	8-hour ⁵	63 ppb

¹ Daily average, annual 98th percentile, over one year

² Daily 1-hour maximum, annual 99th percentile value, over one year

³ Daily 1-hour maximum, annual 98th percentile value, over one year

⁴ For advisory purposes – no percentile for annual reporting

⁵ 4th highest annual measurement, averaged over three consecutive years. Adopted by BC from CAAQS.

3.4.2 PM_{2.5}

Fine particulate matter (PM_{2.5}) has been measured at the Alberni Elementary School station since 2010 with a Model 1020 BAM (Beta-Attenuation Monitor). The BAM 1020 is an USEPA approved FEM (Federal Equivalent Method) for continuous PM_{2.5} measurements. The MAML (Mobile Air Monitoring Laboratory) was stationed in the southeast corner of the Port Alberni Fire Hall parking lot from Jan. 28th, 2014 – Feb. 17th, 2015, and was equipped with an E-BAM to monitor air quality, including PM_{2.5} and meteorology. This data was collected in order to examine spatial differences in PM_{2.5} concentrations in Port Alberni and to determine if the Alberni Elementary School site was representative of conditions elsewhere in the City. Note that the E-BAM uses the same monitoring technology as the BAM but it is meant for surveillance purposes (not suitable for long-term monitoring). Hourly data from the E-BAM is typically noisier than what is measured from the BAM, especially at lower concentrations, while the 24-hour concentrations compare well between the units.

3.4.2.1 Alberni Elementary School

A summary of PM_{2.5} concentrations measured at Alberni Elementary and compared to Provincial Air Quality Objectives (AQOs) is provided in Table 7 and Table 8. Annual average concentrations ranged from a low of 6.2 µg/m³ in 2012 to a high of 8.2 µg/m³ in 2013 and 2014. Annual average concentrations in 2013 and 2014 did not meet the Provincial AQO of 8 µg/m³. Daily 98th percentile PM_{2.5} concentrations ranged from a low of 17.9 µg/m³ in 2012 to a high of 35.5 µg/m³ in 2014. The provincial AQO for daily

PM_{2.5} of 25 µg/m³ was exceeded in 2013 and 2014 and there were more daily exceedances of the provincial AQO in 2013 and 2014 than in 2011 and 2012 (up to 5.4% of the time in 2013) - note that this metric is directly compared to daily levels of PM_{2.5} for air quality advisory purposes.

Table 7: PM_{2.5} measurements relative to provincial objectives at the Alberni Elementary and Fire Hall (MAML) monitoring stations.

PM _{2.5} (µg/m ³)	Port Alberni Elementary School					
Year	Mean Hourly	24 Hr 98 th Percentile	# Days > 25 µg/m ³	Percent of days > 25 µg/m ³	Valid hours	Valid days
2011	8.0	24.8	6	1.7%	8446	354
2012	6.2	17.9	1	0.3%	8405	355
2013	8.1	30.6	19	5.4%	8437	353
2014	8.1	35.5	13	3.6%	8692	364
Feb 1/2014- Jan 31/2015	8.2	38.5	15	4.1%	8692	365
Fire Hall						
Feb 1/2014- Jan 31/2015	8.2	20.3	3	1.0%	7279	303

Table 8: Air quality results for criteria air contaminants in Port Alberni (provincial objectives in brackets, exceedances in red).

Objective		Alberni Elementary (Feb. 1, 2014 – Jan. 31, 2015)	BC Hydro (June 6, 2001 – Jan. 10, 2002)	Fire Hall (Feb. 1, 2014 – Jan. 31, 2015)	Town Site (Jan. 1, 2010 – Jan. 31, 2010)
PM _{2.5} (µg/m ³)	24-hour ^a	38.5 (25)		20.3 ¹ (25)	
	Annual	8.2 (8)		8.2 ¹ (8)	
PM ₁₀ (µg/m ³)	24-hour ^a				19.4 (50)
SO ₂ (ppb)	1-hour ^b	7.9 (75)		3.9 ¹ (75)	
NO ₂ (ppb)	1-hour ^c		28.0 ¹ (100)	20.5 ¹ (100)	
	Annual		5.1 ¹ (32)	4.1 ¹ (32)	
O ₃ (ppb)	1-hour ^d		49 ¹ (82)	54.6 ¹ (82)	
	8-hour ^e		36 ¹ (63)	41.5 ¹ (63)	

^a Daily average, annual 98th percentile, over one year

^b Daily 1-hour maximum, annual 99th percentile value, over one year

^c Daily 1-hour maximum, annual 98th percentile value, over one year

^d For advisory purposes – no percentile for annual reporting

^e 4th highest annual measurement, averaged over three consecutive years

¹ Does not meet data requirements – provided only for comparative purposes

An examination of the time series of daily $PM_{2.5}$ values measured from June of 2010 to December 31st 2014 (Figure 20) indicated that $PM_{2.5}$ concentrations were relatively low (good air quality) during the spring and summer months but increased during the fall and winter months. All of the exceedances of the daily AQO in all years occurred during the colder months. Dispersion meteorology is much poorer at this time of the year and there are additional sources of $PM_{2.5}$ in the airshed – e.g. residential/commercial/ industrial heating, open burning, increased idling, etc.

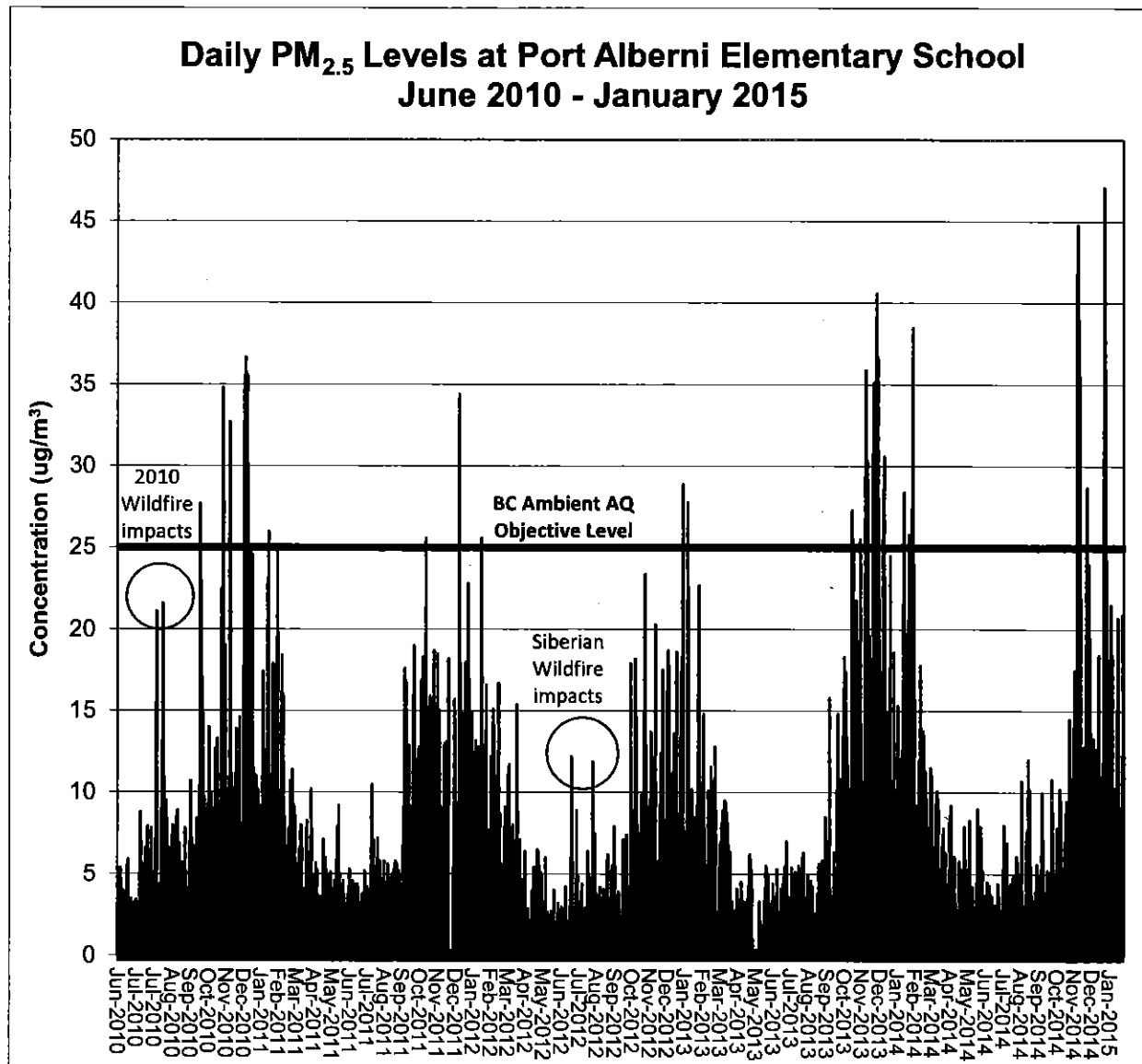


Figure 20: Daily $PM_{2.5}$ measurements at the Port Alberni Elementary School station from June 1, 2010 to January 31, 2015, relative to the 24-hour provincial objective.

Figure 21 shows $PM_{2.5}$ levels from a number of air quality monitoring stations across the province (BC Lung, 2015) in 2014. The Port Alberni Elementary School site ranked 9th highest out of 43 communities reporting $PM_{2.5}$ concentrations across the province.

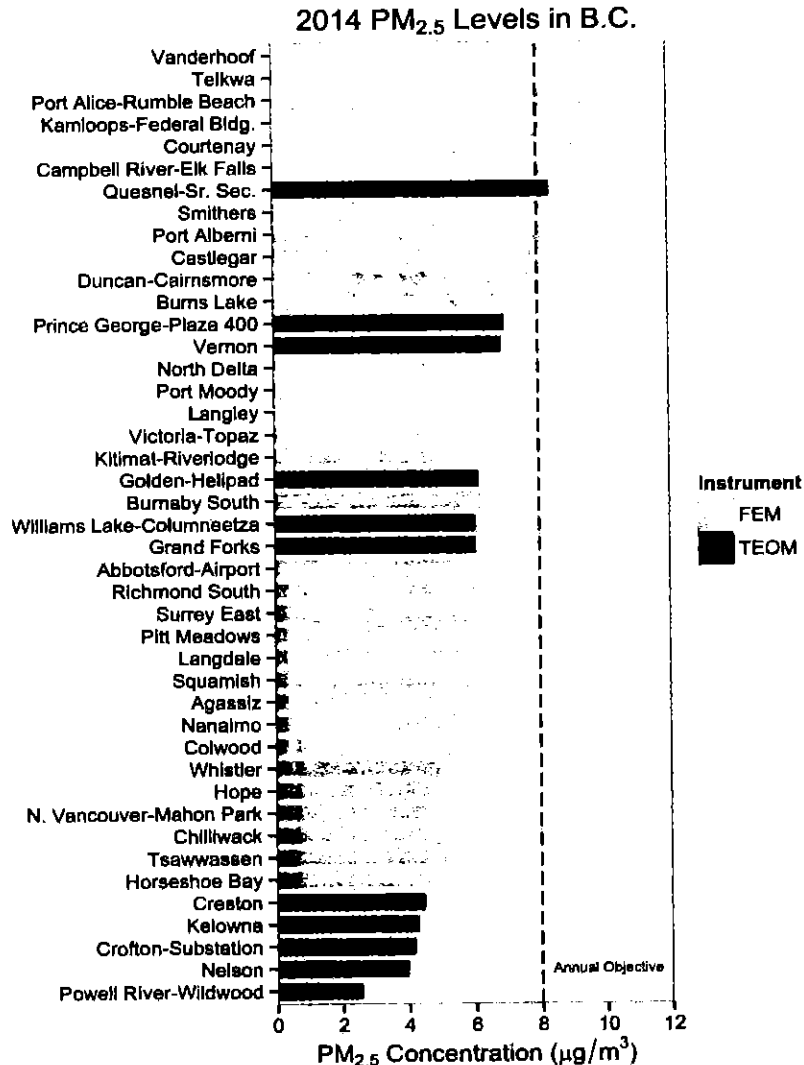


Figure 21. Annual average PM_{2.5} levels across British Columbia in 2014 (BC Lung, 2015).

Temporal patterns in PM_{2.5} concentrations at the Alberni Elementary station over the entire monitoring period (June 1, 2010 – Sept. 30, 2015) can be seen in Figure 22. Monthly average PM_{2.5} concentrations were highest from November to February and lowest in June. The day of the week (Hebdomadal) analysis indicates that concentrations tended to increase over the weekend with a maximum average concentration on Sundays, and decrease during the week with the lowest concentrations occurring on Friday. The maximum concentrations on the weekend suggest that additional PM_{2.5} sources came into play over and above what is experienced during the week. These additional sources may have included residential backyard burning and/or increased wood stove usage, which are both more prevalent while people are at home. Hour of the day (diurnal) concentrations showed an afternoon minimum concentration consistent with surface heating (and associated good ventilation) and evening maximums, with the highest concentrations occurring near midnight. A secondary maximum during mid-morning also occurred. Secondary morning peaks typically occur once surface heating is sufficient to break down the nocturnal

inversion and short-term fumigation events occur (see section 3.2.1). It can also reflect additional sources at this time of day such as rush hour traffic and morning wood heat emissions.

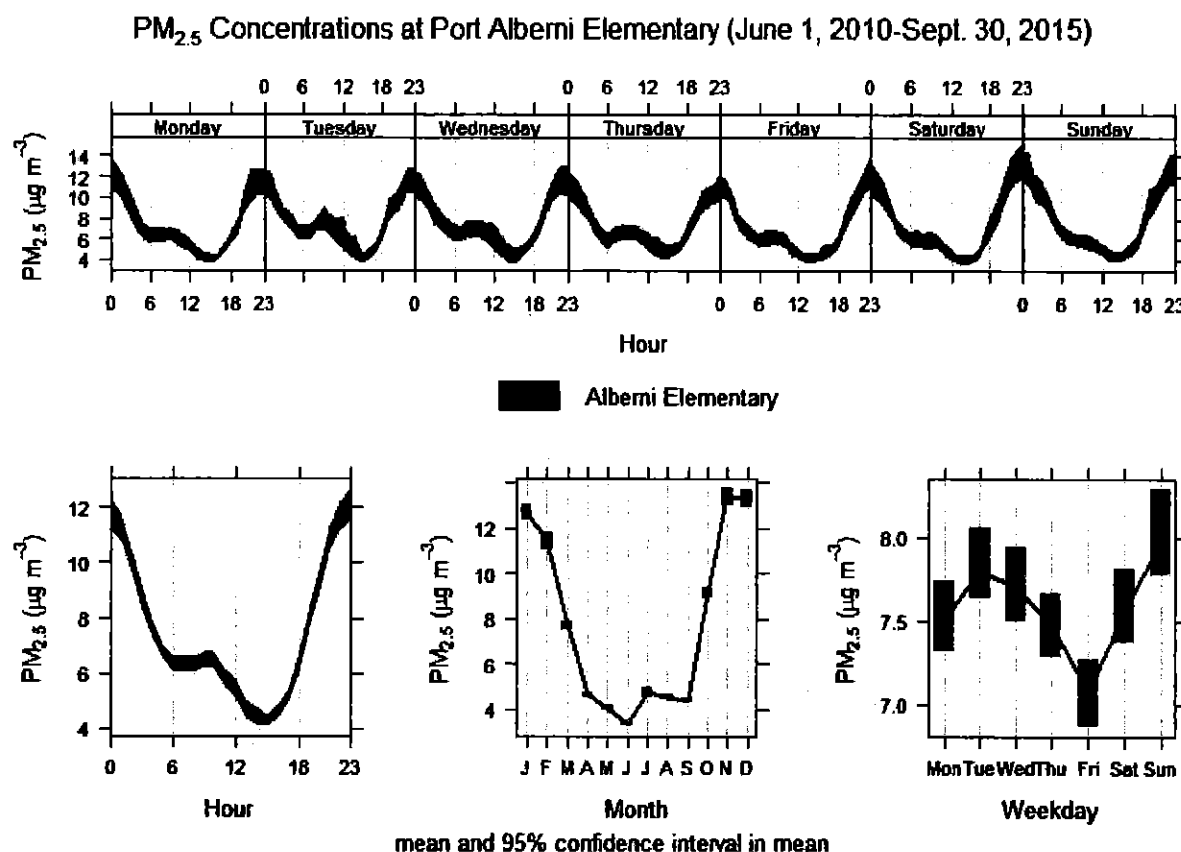


Figure 22: Temporal patterns for PM_{2.5} concentrations at the Alberni Elementary station (June 1, 2010 – Sept. 30, 2015).

A pollution rose is produced by pairing hourly air quality concentration data with hourly wind direction information to produce a chart similar to a wind rose. Pollution transport is generally determined based on wind direction, so wind and pollution roses generally have the same shape. A pollution rose shows the relative contribution from different directions to the total pollution recorded at a specific location, and the relative frequency at which different concentrations of pollution were recorded as coming from those directions. This information can be useful for source apportionment and mitigation purposes.

The 2014/15 annual pollution rose for Alberni Elementary indicated that higher concentrations of PM_{2.5} were recorded when wind was blowing from the north, and in particular from the northeast quadrant (Figure 23). When broken down by season, almost all of the highest concentrations were recorded during the autumn and winter, with winds blowing from the northeast tending to have the highest frequencies of elevated concentrations. Higher frequencies of low PM_{2.5} concentrations tended to come from the southwest during the spring and summer months (the direction of the Port and Catalyst pulp mill). There is a dense residential area in the northeast direction and the community of Cherry Creek (Regional District Electoral Area E) is also in this direction.

Annual Pollution Rose - Alberni Elementary Seasonal Pollution Rose - Alberni Elementary
(Feb. 1, 2014-Jan. 31, 2015) (Feb. 1, 2014-Jan. 31, 2015)

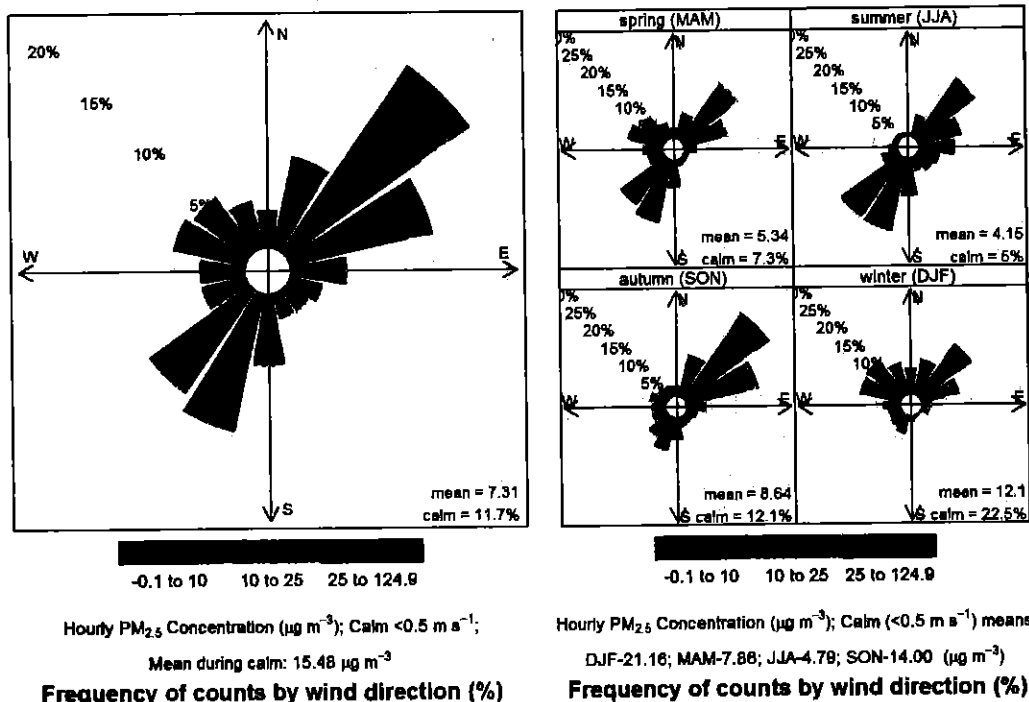


Figure 23: Annual and seasonal pollution roses of PM_{2.5} from the Port Alberni Elementary station. Spokes on the roses represent pollution coming from those compass directions, with colours denoting PM_{2.5} concentrations.

Given the seasonal nature of the highest values, likely sources include emissions from residential wood heating, emissions from residential back yard burning, and emissions from open burning (agricultural/developer land clearing, and forestry operations). Forest harvesting and wildfire hazard abatement (slash burning) activities occur throughout the region during the fall. October is generally the first month in which local forest companies and land developers are able to open burn woody debris, as the moisture in the surrounding fuels is sufficient to prevent escape which might result in a wildfire. Most forestry hazard abatement burning is complete by mid-November while development/agricultural land clearing burning can occur all winter if venting conditions are suitable. The City of Port Alberni prohibits residential backyard burning until October 15th and land-clearing burning is prohibited all year-round. However, there are no open burning restrictions in the ACRD (e.g. Cherry Creek). This activity is the dominant source of wood smoke during the fall. Once colder temperatures settle in, people also begin to heat their residences using woodstoves. A provincial wood stove survey conducted in 2012 found that about 24% of households (or about 1 in 4) in Port Alberni use wood for heating (Envirochem, 2012). Emissions from the Catalyst pulp mill and the local sawmills occur all year long and also contribute to PM_{2.5} emissions in the airshed. However, the pulp mill is situated to the SW of the monitoring station and does not appear to contribute significantly to the PM_{2.5} concentrations measured at this location during the fall and winter months.

The annual diurnal (daytime vs. night time) pollution roses for Alberni Elementary (Figure 24) shows that the majority of the higher PM_{2.5} concentrations occurred at night, which strongly suggests wood smoke

from sources like wood stoves and open burning in the evening to be the primary cause of $PM_{2.5}$ exceedances at Alberni Elementary. However, any source of emissions emitted into the stable layer during the evening hours would also contribute to these patterns (e.g. industrial, commercial, and mobile emissions). During the day, air coming from the Alberni Inlet up through the port area to the school had relatively low $PM_{2.5}$ concentrations.

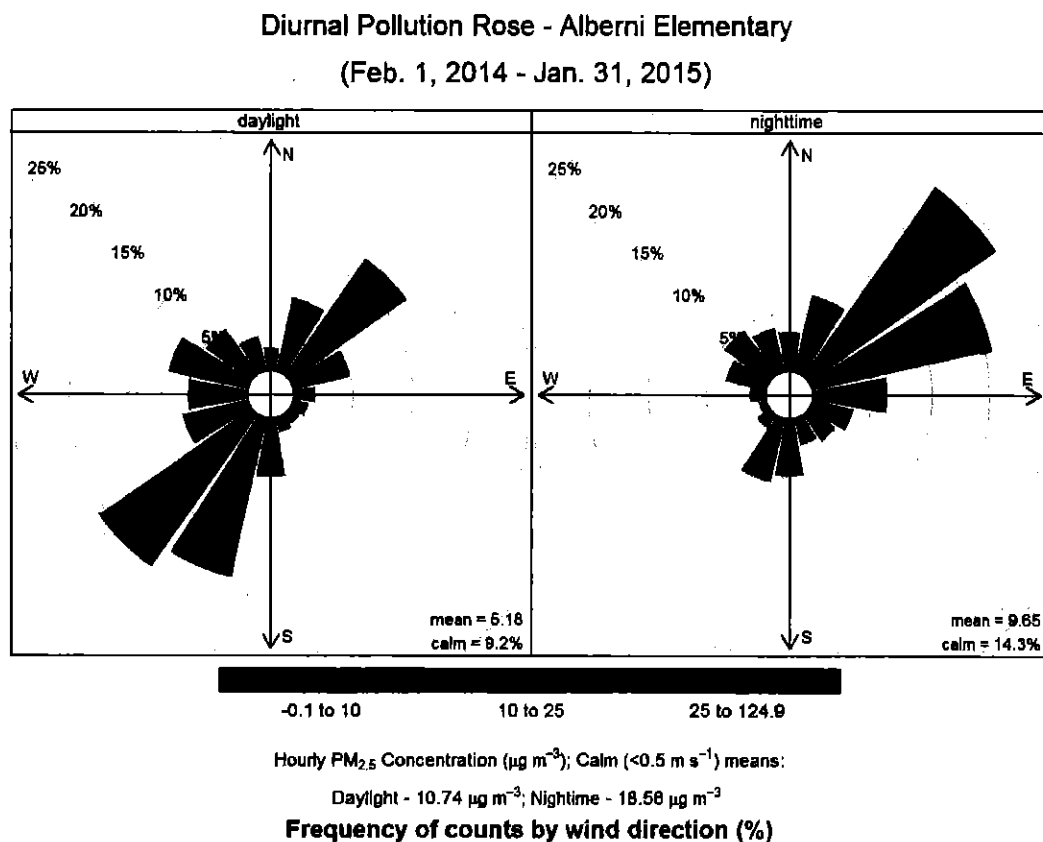


Figure 24: Annual pollution rose showing diurnal patterns in $PM_{2.5}$ concentrations at the Alberni Elementary station in 2014.

Seasonal diurnal pollution roses (Figures 25-28) showed that hourly $PM_{2.5}$ concentrations rarely reached medium ($10\text{-}25\ \mu g/m^3$) or high ($> 25\ \mu g/m^3$) values during daylight hours in the spring and summer. Medium and high $PM_{2.5}$ concentrations occurred most frequently at night in the fall and winter when drainage flows were coming from sources to the northeast of Alberni Elementary. In the winter, medium and high concentrations of $PM_{2.5}$ also came from the north and northwest during both the day and nighttime hours. This points to open burning and residential heating sources in that sector (the Beaver Creek area).

Mean $PM_{2.5}$ concentrations for all wind conditions other than calms (wind speed $< 0.5\ m/s$) were highest in the winter ($14.3\ \mu g/m^3$ at night and $8.6\ \mu g/m^3$ during the day) followed by fall ($10.8\ \mu g/m^3$ at night and $5.9\ \mu g/m^3$ during the day). Calm winds occurred most frequently in the winter (25.3% at night and 17.4% during the day), followed by the fall (12.5% at night and 11.6% during the day). Mean $PM_{2.5}$ concentrations during calm wind conditions were highest in the winter ($23.1\ \mu g/m^3$ at night and $16.0\ \mu g/m^3$ during the day), followed by fall ($15.8\ \mu g/m^3$ at night and $11.6\ \mu g/m^3$ during the day).

Spring Diurnal Pollution Rose - Alberni Elementary
(March 1 - May 31, 2014)

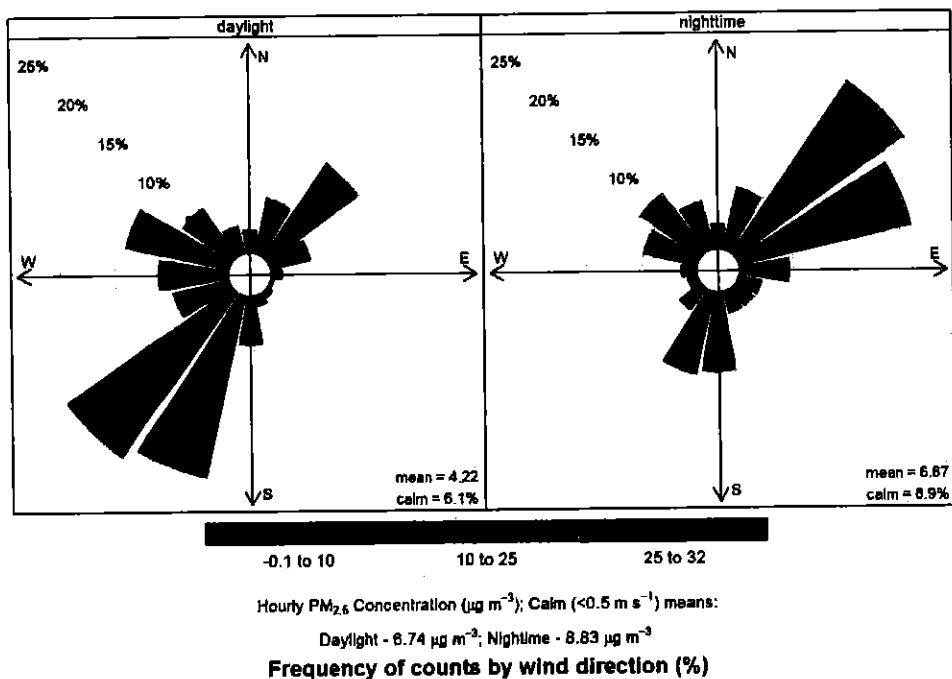


Figure 25: $PM_{2.5}$ pollution roses showing day and nighttime patterns during the spring at the Alberni Elementary station.

Summer Diurnal Pollution Rose - Alberni Elementary
(July 1 - August 31, 2014)

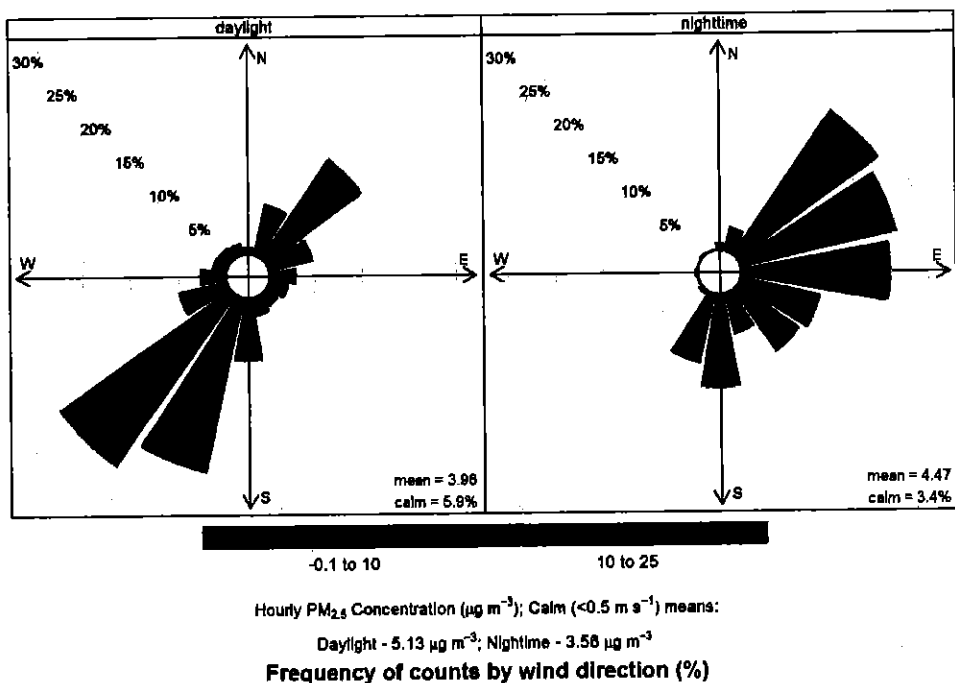


Figure 26: $PM_{2.5}$ pollution roses showing day and nighttime patterns during the summer at the Alberni Elementary station.

Fall Diurnal Pollution Rose - Alberni Elementary
(September 1 - November 31, 2014)

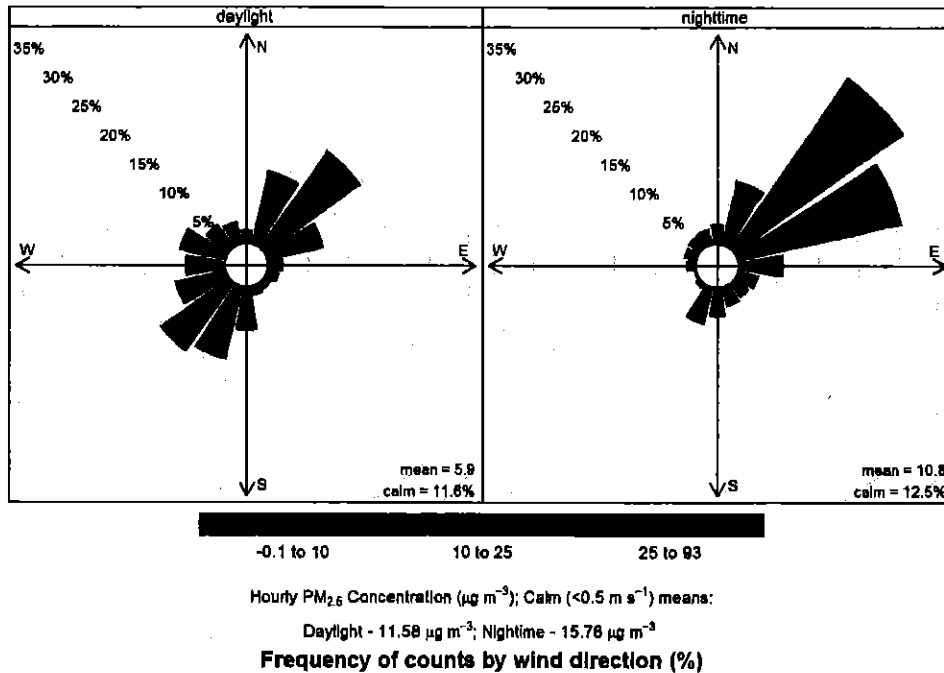


Figure 27: $PM_{2.5}$ pollution roses showing day and nighttime patterns during the fall at the Alberni Elementary station.

Winter Diurnal Pollution Rose - Alberni Elementary
(Feb. & Dec., 2014 & Jan. 2015)

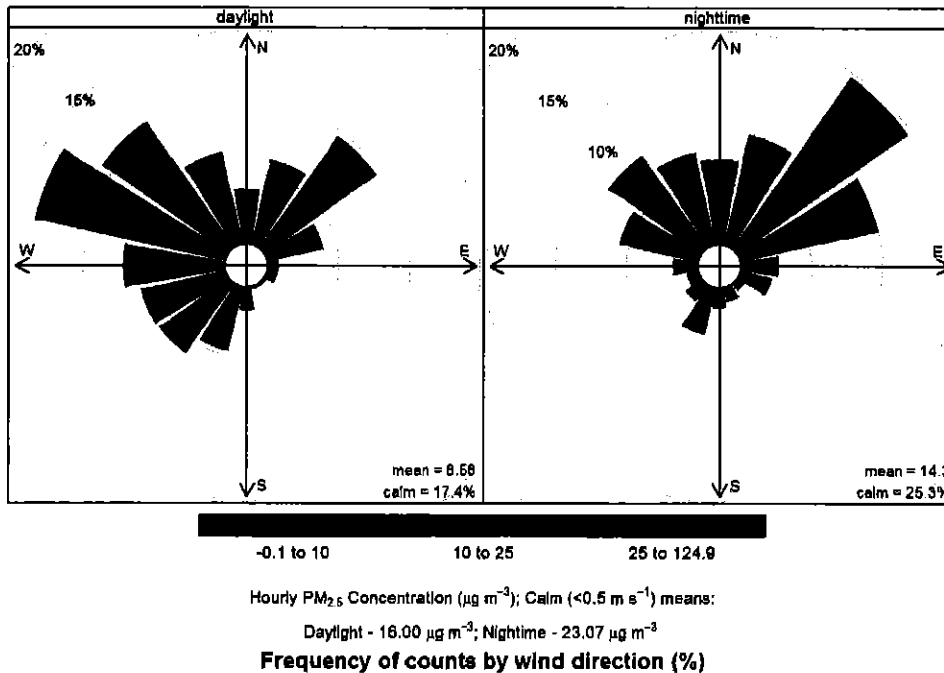


Figure 28: $PM_{2.5}$ pollution roses showing day and nighttime patterns during the winter at the Alberni Elementary station.

Elevated PM_{2.5} concentrations when winds are calm suggest that local sources (wood stoves) are important near the measurement site. It is also notable that peak PM_{2.5} concentrations occurred in the winter, when widespread wood stove use and open burning (residential backyard burning and non-forestry related open burning) were most common.

3.4.2.2 Site Comparisons Fire Hall (MAML) vs. Alberni Elementary

Data collected over the same period (Feb. 1, 2014 – Jan. 31, 2015) from both the Alberni Elementary and Fire Hall stations were analyzed in this section in order to compare patterns between the two sites. The Fire Hall was not operating long enough in 2014 to meet data completeness criteria. However, for comparative purposes, a full year of data was used from both sites (January 31, 2014 to February 1, 2015) and this year is considered complete.

A summary of PM_{2.5} concentrations measured at the Alberni Fire Hall and compared to Provincial Air Quality Objectives (AQOs) is provided in Table 7 and Table 8. The annual average calculated from January 31, 2014 to February 1st 2015 exceeded the Provincial AQO at 8.2 µg/m³ (the same as at Alberni Elementary) while the 98th percentile daily concentration met the AQO at 20.3 µg/m³. The daily AQO of 25 µg/m³ was exceeded 3 times during the period of monitoring vs. the 15 exceedances experienced at the Alberni Elementary site over the same time period. Data collected suggests that air quality was slightly better at the Fire Hall site from January 2014-February 2015 than at Alberni Elementary. It also suggests that the Alberni Elementary station is well located in terms of being able to measure worst case PM_{2.5} impacts for residents of Port Alberni.

A graph of the paired daily mean PM_{2.5} data collected over the same period at the Alberni Elementary and Fire Hall stations (Figure 29) shows that while PM_{2.5} concentrations were generally quite similar, extreme values during the winter months tended to be much higher at the Alberni Elementary station. This can also be seen statistically in the higher 98th percentile of daily averages and the higher number of exceedances of the provincial objective at the Alberni Elementary station over the same time period (Table 7 and Table 8).

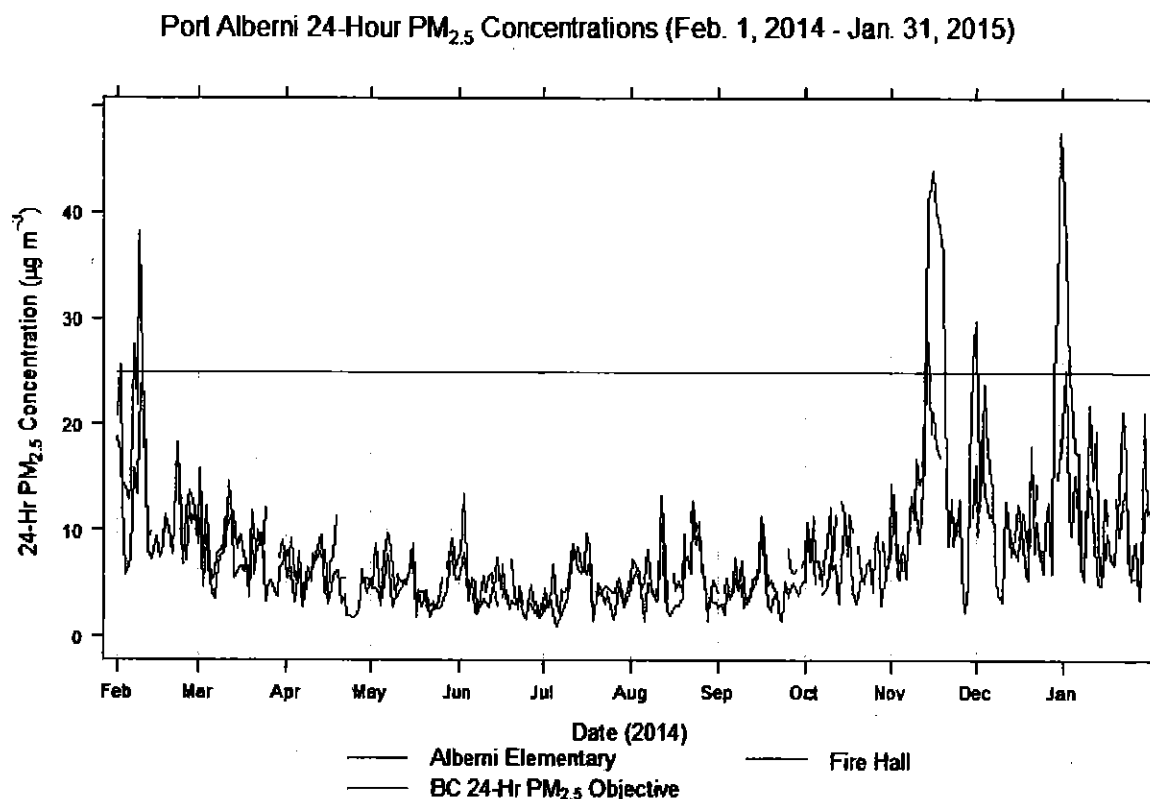


Figure 29: Daily average PM_{2.5} results from Alberni Elementary (BAM) and Fire Hall (E-BAM) stations (Feb. 1, 2014 – Jan. 31, 2015). Provincial 24-hour objective is 25 µg/m³.

Monthly, weekly, and daily PM_{2.5} patterns at the Alberni Elementary and Fire Hall stations are shown in Figure 30. Monthly mean concentrations at both sites showed relatively low PM_{2.5} concentrations from May until September, and then degraded air quality through the fall and winter months. It is interesting to note that warm month PM_{2.5} concentrations were slightly higher at the Fire Hall site (although still very low) while cold month concentrations were higher at Alberni Elementary. As described in section 3.3.2.1 above, PM_{2.5} concentrations tended to be highest over the weekend at the Alberni Elementary. Weekend values were elevated at the Fire Hall site as well (but not as high as Alberni Elementary), but the maximum value occurred on Friday. The late weekday values were higher than those experienced at Alberni Elementary, suggesting that different source types may be having an influence in this location.

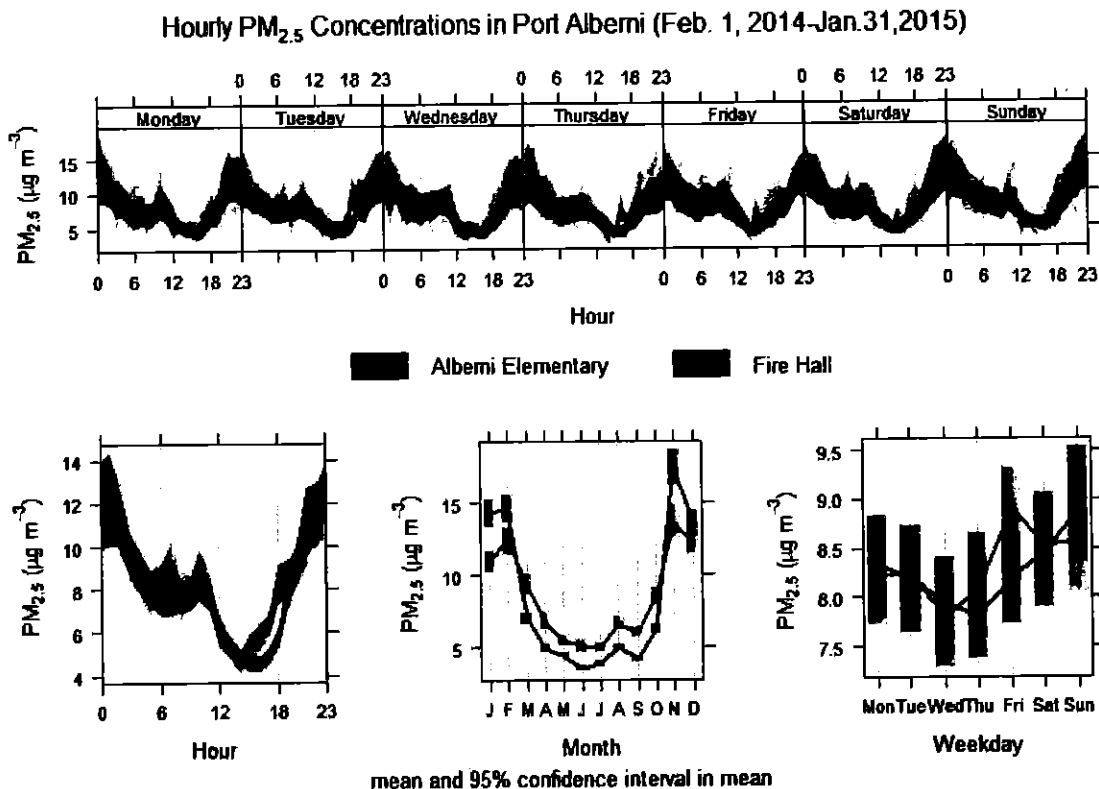


Figure 30: A comparison of temporal patterns for PM_{2.5} measured at the Alberni Elementary and Fire Hall (MAML) stations over 12 months (Feb. 1, 2014 – Jan. 31, 2015).

Temporal patterns for the fall and winter months were further examined in Figure 31 and Figure 32 as these were the months that experienced degraded air quality at both locations. During the fall, average PM_{2.5} concentrations were similar at both sites on Monday, Tuesday and Wednesday. However, concentrations were higher later in the week at the Fire Hall than at the Alberni Elementary site; average concentrations became higher at the Alberni Elementary site on Weekends. During the winter months, PM_{2.5} concentrations were higher at the Alberni Elementary site on every day of the week. As described in 3.3.2.1 above, air quality at the Alberni Elementary School site during the winter is affected by activities from the NE sector, much of which is outside of city limits. Emissions from activities such as residential backyard burning and open burning (weekend effects) in this area appear to have a more localized impact on the northern part of the community. Hourly concentration patterns suggest woodstove impacts at both locations with maximum PM_{2.5} values occurring between 11:00PM and 1:00AM.

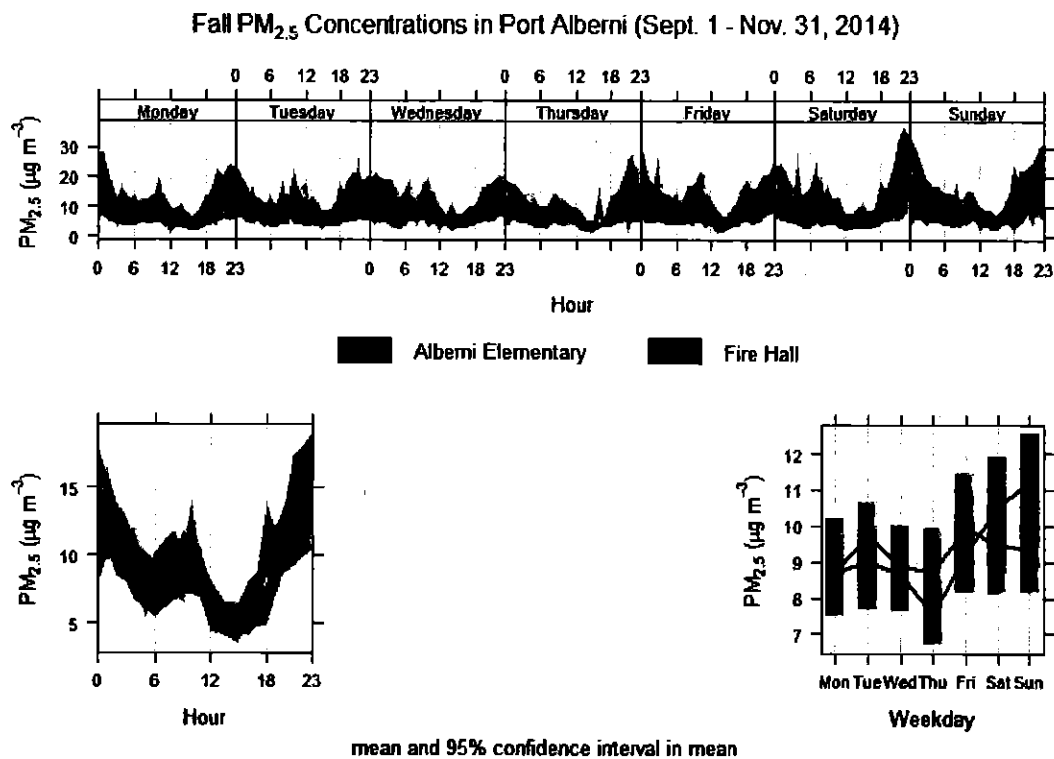


Figure 31: A comparison of temporal patterns for PM_{2.5} measured at the Alberni Elementary and Fire Hall (MAML) stations during the fall months (Sept. 1 – Nov. 31, 2014).

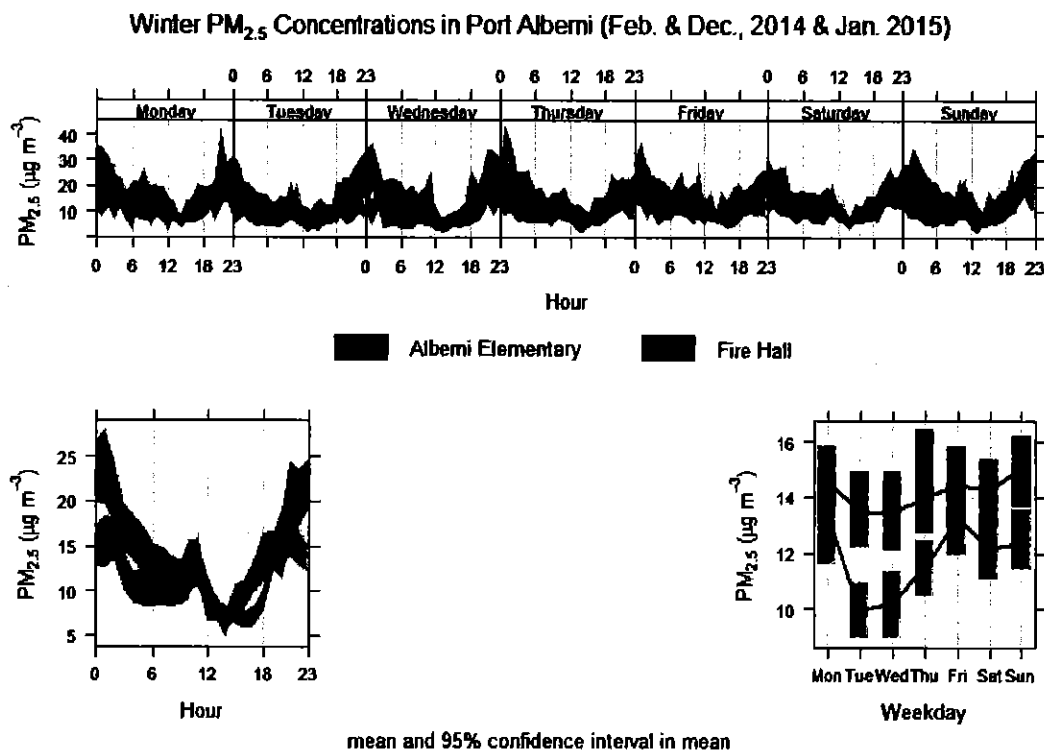


Figure 32: A comparison of temporal patterns for PM_{2.5} measured at the Alberni Elementary and Fire Hall (MAML) stations during the winter months (Feb. & Dec. of 2014 and Jan. of 2015).

The 2014/15 annual pollution rose for the Fire Hall showed that although the most common wind directions associated with high frequencies of $PM_{2.5}$ were from the south and southeast, higher hourly concentrations were recorded when winds were from all directions (Figure 33). The highest frequency of elevated concentrations again tended to be measured in autumn and winter. The seasonal pollution rose breakdown also showed that $PM_{2.5}$ came from more dispersed directions at the Fire Hall than at Alberni Elementary, with contributions in the winter coming from almost all directions, though still with the highest frequencies out of the Southeast. The multi-directional nature of pollutant contributions at this location indicates that local sources play a significant role. However, it also suggests that other sources may be important. For example, the area pulp mill to the northwest of the Fire Hall site is closer to this monitoring site than to the Alberni Elementary station. The Fire Hall site is also higher in elevation (39 m ASL vs. 18 m ASL) and may be more easily impacted by point source stack emissions that are trapped under a low ceiling during the winter months.

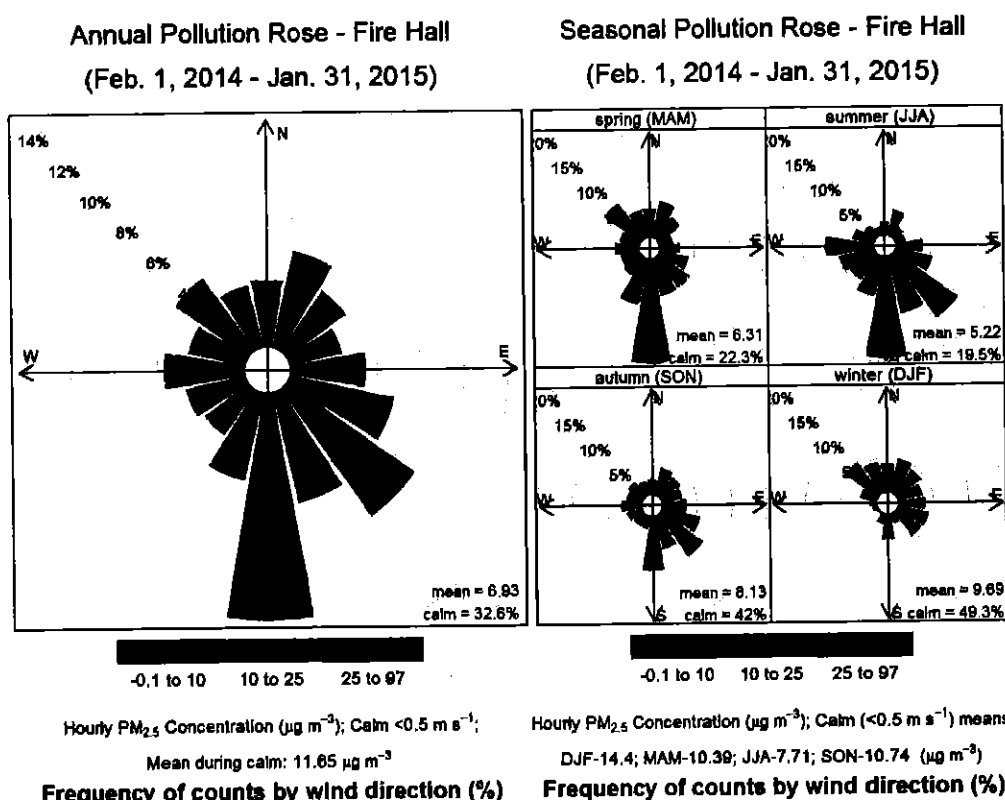


Figure 33: Annual and seasonal pollution roses of $PM_{2.5}$ from the Fire Hall station (MAML). Spokes on the roses represent pollution coming from those compass directions, with colours denoting $PM_{2.5}$ concentrations.

The Fire Hall annual diurnal pollution roses (Figure 34) are similar to those of Alberni Elementary in that they both show that higher $PM_{2.5}$ concentrations were recorded more often at night (average concentration $12.9 \mu g m^{-3}$) than during the day ($9.6 \mu g m^{-3}$). That said, higher concentrations were observed more often during daylight hours at the Fire Hall station than at the Alberni Elementary station. The largest source of $PM_{2.5}$ at night came from the same direction as the prevailing wind – from the southeast sector. This repeated pattern of highest $PM_{2.5}$ concentrations occurring at night again suggests residential wood stove smoke and residential backyard burning (fall, winter and spring). One other possible source, however,

could be smouldering overnight fires from resource management burning or residential burning on elevated terrain to the east of the city (Arrowview Heights). Based on the wind patterns, smoke generated on elevated terrain to the east could be brought down into the City with night time drainage winds, and would be less likely to impact the city during the day when dispersion is better and upslope flows are being generated.

Diurnal Pollution Rose - Fire Hall
(Feb. 1, 2014 - Jan. 31, 2015)

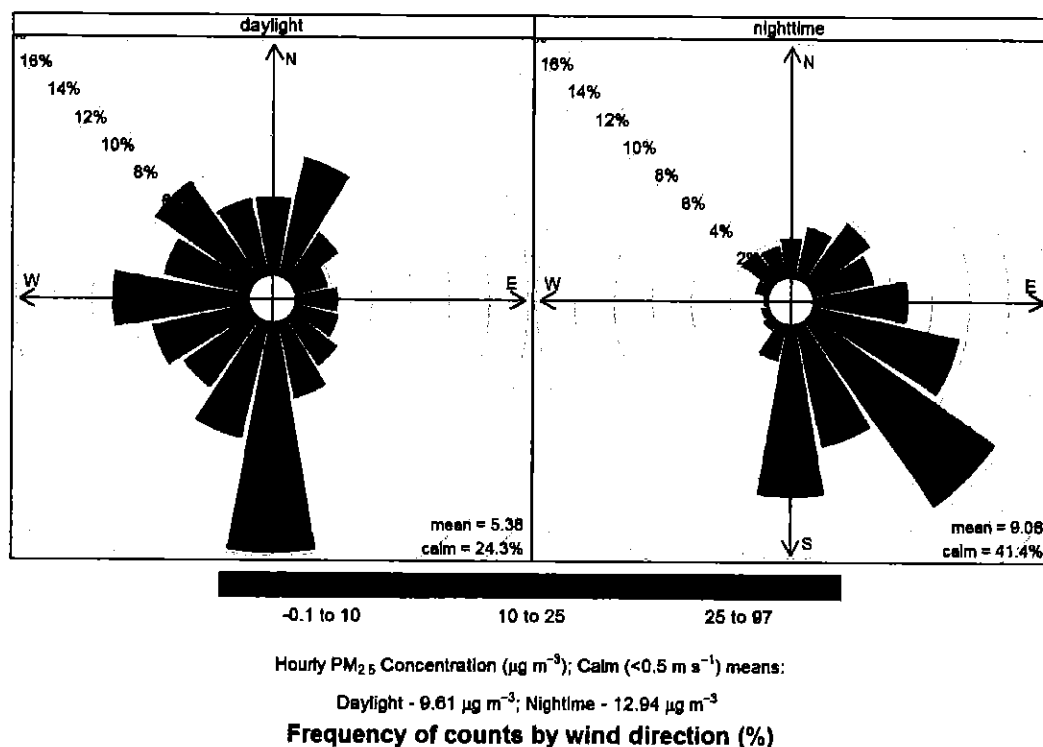


Figure 34: Annual pollution rose showing diurnal patterns in $PM_{2.5}$ concentrations at the Fire Hall station (MAML) in 2014.

Moderate $PM_{2.5}$ concentrations (between 10 and $25\ \mu g/m^3$) occurred more regularly throughout the year at the Fire Hall station than they did at the Alberni Elementary station, both during the day and at night. In the spring, summer and fall, the majority of moderate and some high concentrations of $PM_{2.5}$ occurred at night with light drainage winds from the southeast sector (Figures 35-37). A higher proportion of winds at night from the southeast had moderate and high (hourly concentrations $< 25\ \mu g/m^3$) concentrations of $PM_{2.5}$ in the fall and winter (Figures 37 and 38); however there is also a secondary northeast component. Again, this suggests that activities to the southeast of the Fire Hall site may be having an impact on air quality. An examination of the daylight wintertime pollution rose at the Fire Hall indicates that high to moderate $PM_{2.5}$ concentrations are recorded when winds are out of the northwest sector. This suggests that industrial sources located in this sector may have more of an impact at this location during the winter months than at the Alberni Elementary site where southwest winds (from the industrial sector at this site) did not result in the same magnitude of $PM_{2.5}$ concentrations.

Spring Diurnal Pollution Rose - Fire Hall
(March 1 - May 31, 2014)

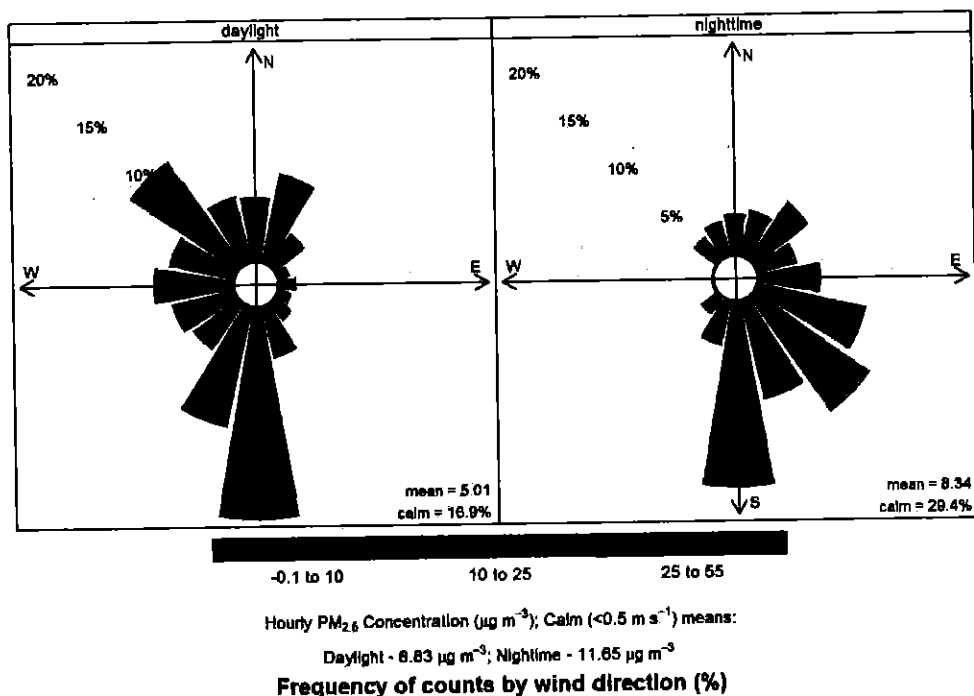


Figure 35: Day and nighttime pollution roses over the spring at the Fire Hall station (MAML).

Summer Diurnal Pollution Rose - Fire Hall
(July 1 - August 31, 2014)

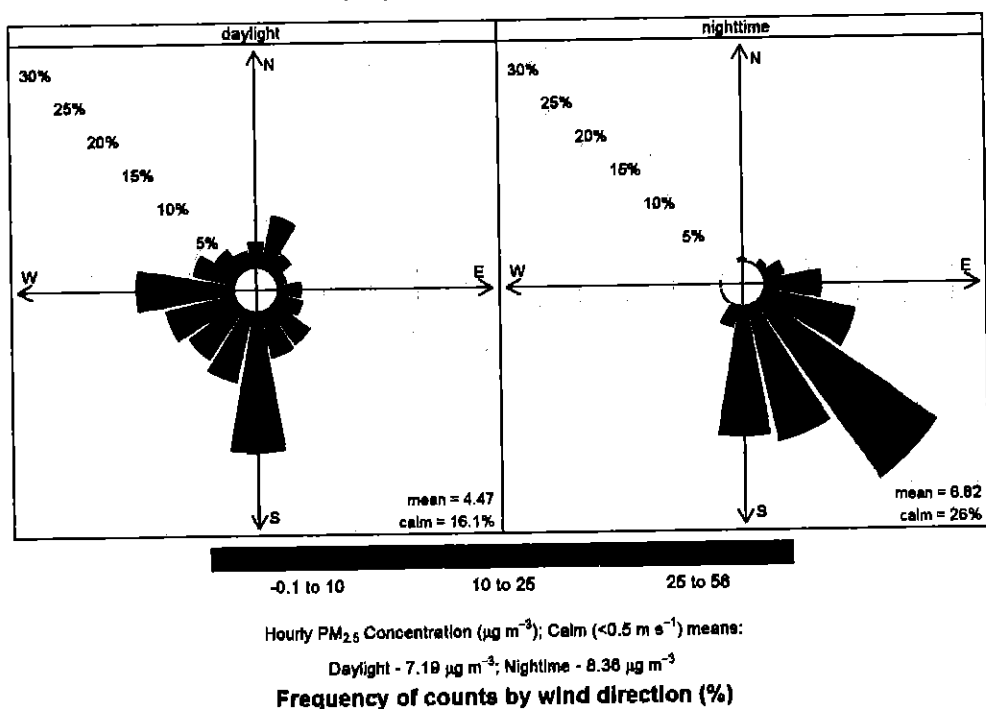


Figure 36: Day and nighttime pollution roses over the summer at the Fire Hall station (MAML).

Fall Diurnal Pollution Rose - Fire Hall
(September 1 - November 31, 2014)

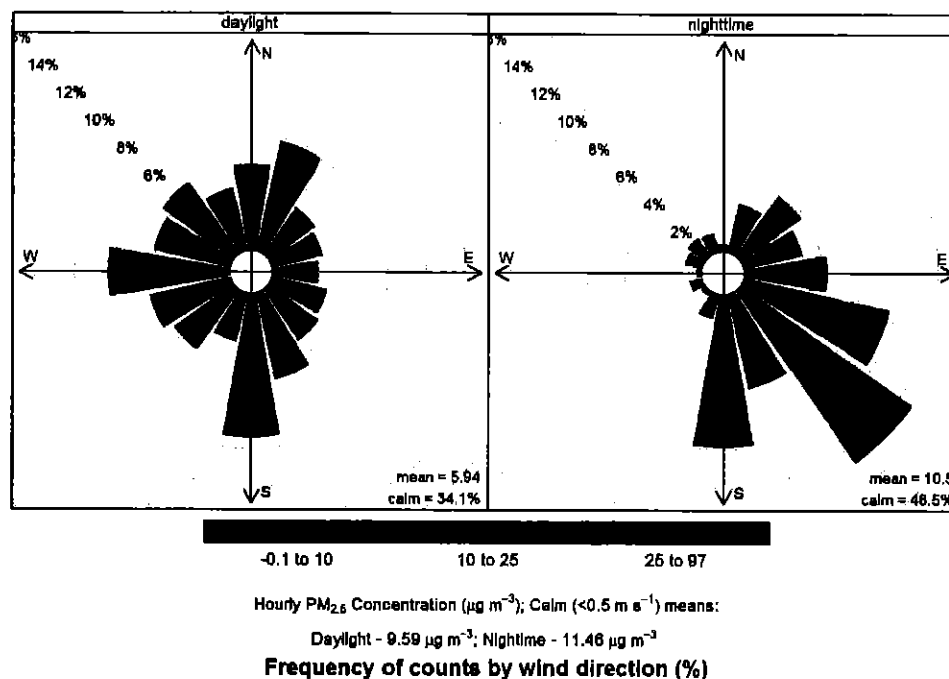


Figure 37: Day and nighttime pollution roses over the fall at the Fire Hall station (MAML).

Winter Diurnal Pollution Rose - Fire Hall
(Feb. & Dec., 2014 & Jan. 2015)

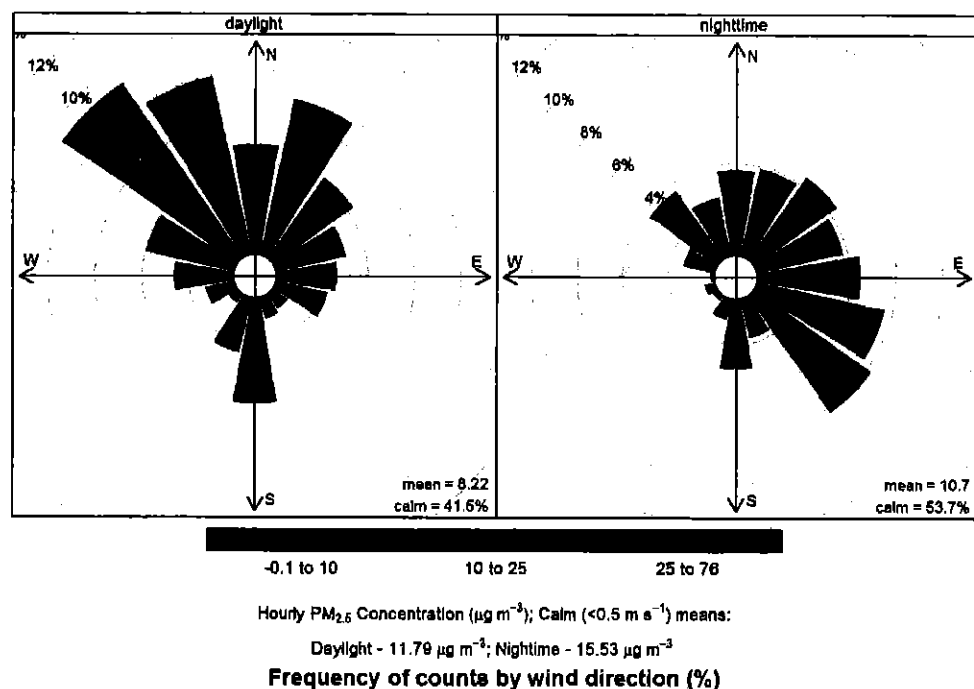


Figure 38: Day and nighttime pollution roses over the winter at the Fire Hall station (MAML).

Mean PM_{2.5} concentrations at the Fire Hall site for all wind conditions other than during calms (wind speed < 0.5 m/s) were highest in the winter (10.7 µg/m³ at night and 8.2 µg/m³ during the day) followed by fall (10.5 µg/m³ at night and 5.9 µg/m³ during the day). Calm winds occurred most frequently in the winter (53.7% at night and 41.5% during the day), followed by the fall (48.5% at night and 34.1% during the day). Mean PM_{2.5} concentrations during calm wind conditions were highest in the winter (15.5 µg/m³ at night and 11.8 µg/m³ during the day), followed by fall (11.5 µg/m³ at night and 9.6 µg/m³ during the day). These numbers demonstrate that PM_{2.5} concentrations were highest during the winter months when wind conditions were calm; indicating that local source impacts such as woodstove emissions can be significant.

3.4.2.3 Spatial PM_{2.5} Monitoring using a Mobile Nephelometer

Based on prior analysis of air quality results, there was an identified need to more closely examine the spatial impacts of PM_{2.5} emissions from sources like wood stoves and residential back yard burning in Port Alberni. Monitoring the impacts of this type of pollution can be difficult because it is dispersed among the community (comes from individual households and properties), and can potentially cause 'hotspots' that might not be detected by a single stationary monitoring station. A technique known as mobile nephelometer monitoring was used to examine the spatial differences in PM_{2.5} concentrations throughout the community and to identify the location of potential hotspots. A nephelometer is an instrument that measures light scatter; with higher PM_{2.5} concentrations resulting in higher light scatter readings (see Appendix A for further details). The mobile nephelometer technique involves operating the unit out of the back-seat of a vehicle, paired with a GPS device so that the results can be plotted spatially over a map of the study area after each sampling run. The results can be used to evaluate the effectiveness of stationary monitoring, and can potentially be used for other actions, such as assisting with a targeted woodstove exchange program, bylaw development, or developing a targeted education program on best practices for wood stove use and open burning techniques.

The mobile nephelometer was operated on eight separate nights from December 18th, 2012 to February 25th, 2013. The methods used in this study, a map of the driving route, and associated figures can be found in Appendix A. Results from this study (Figures 52-59) show that there are areas of the city that, at times, experience more degraded air quality than the surrounding areas in terms of PM_{2.5} concentrations. On three out of the eight evenings sampled (December 18th, February 5th and February 18th – Figures 52, 56 and 58), PM_{2.5} concentrations were low uniformly across the city, and wind speeds were above 1 m/s (3.6 km/hr) on two of those evenings. On the evenings when air quality was most degraded, such as January 14th and 21st and February 11th of 2013 (Figures 54, 55 and 57), wind speeds tended to be quite light (less than 1.0 m/s). PM_{2.5} concentrations were varied across the city on these evenings, with relatively low concentrations of PM_{2.5} in Central Port and higher concentrations in South and North Port, in Cherry Creek, along Beaver Creek Road, and on the Tseshahat and Hupacasath reserve lands. South Port refers to the area south of Dry Creek (down to Scott Street), North Port refers to areas north of Rogers Creek and east of the Hupacasath reserve, and Central Port is the area between South and North Port (see Figure 51). The monitoring results also indicate that during some periods when air quality was good across much of the City, there are areas in Cherry Creek and in the neighbouring residential areas in North Port that experience relatively higher levels of fine particulate (see Figure 53).

The fact that higher PM_{2.5} concentrations occurred in certain areas during low wind conditions strongly suggests buildup due to local sources such as wood stoves and open burning activities. Over the eight nights examined, the highest concentrations consistently occurred to the west of the city along Beaver Creek Rd. and in North Port.

It should be noted that the nephelometer driving route included the Port Alberni Elementary School monitoring site. Hourly PM_{2.5} results from the Alberni Elementary monitoring station corresponded quite well to results from the mobile Nephelometer when the instrument was near the school, suggesting that the device was fairly well correlated with the BAM instrument. Results from the study also suggest that the Alberni Elementary station is located appropriately as it is located in an area of North Port that consistently records higher PM_{2.5} concentrations.

3.4.3 PM₁₀

PM₁₀ was measured at the Townsite monitoring station from Jan. 1st, 1998 to Dec. 31st, 2010. There was little change in annual PM₁₀ concentrations in the 12 years of data examined, (Table 9) ranging from a low of 8.9 µg/m³ in 1999 to a high of 10.4 µg/m³ in 2009. Annual distributions of daily PM₁₀ measurements over the entire monitoring period are provided in the boxplot in Figure 39 (see Appendix B for how to read a box-plot). There were no daily averages that exceeded the provincial AQO of 50 µg/m³ from 1998-2010. PM₁₀ is no longer monitored in Port Alberni, in part because of heightened interest in PM_{2.5}, and in part because concentrations of PM₁₀ were found to be stable and consistently below provincial objectives at this monitoring location.

Table 9: PM₁₀ measurements relative to provincial objectives at the Townsite monitoring station from 1998-2010.

PM ₁₀		(µg/m ³)		Port Alberni Townsite		
Year	Valid Hours	Valid Days	Mean Hourly	Maximum Daily Mean	98% Daily	Number of exceedances of AQO (50 µg/m ³)
1998	8577	357	9.2	42.9	22.7	0
1999	8716	364	8.9	26.2	19.2	0
2000	8529	354	10.3	30.0	23.6	0
2001	8689	362	9.8	24.3	20.3	0
2002	8732	365	10.3	31.0	23.3	0
2003	8731	365	9.8	42.1	23.4	0
2004	8565	357	10.0	31.4	20.5	0
2005	8712	364	9.6	26.7	18.0	0
2006	8692	362	10.0	26.8	21.7	0
2007	8734	365	9.1	25.8	20.1	0
2008	8756	366	9.6	21.6	18.4	0
2009	8706	364	10.4	31.5	25.3	0
2010	8719	365	9.0	28.3	19.4	0

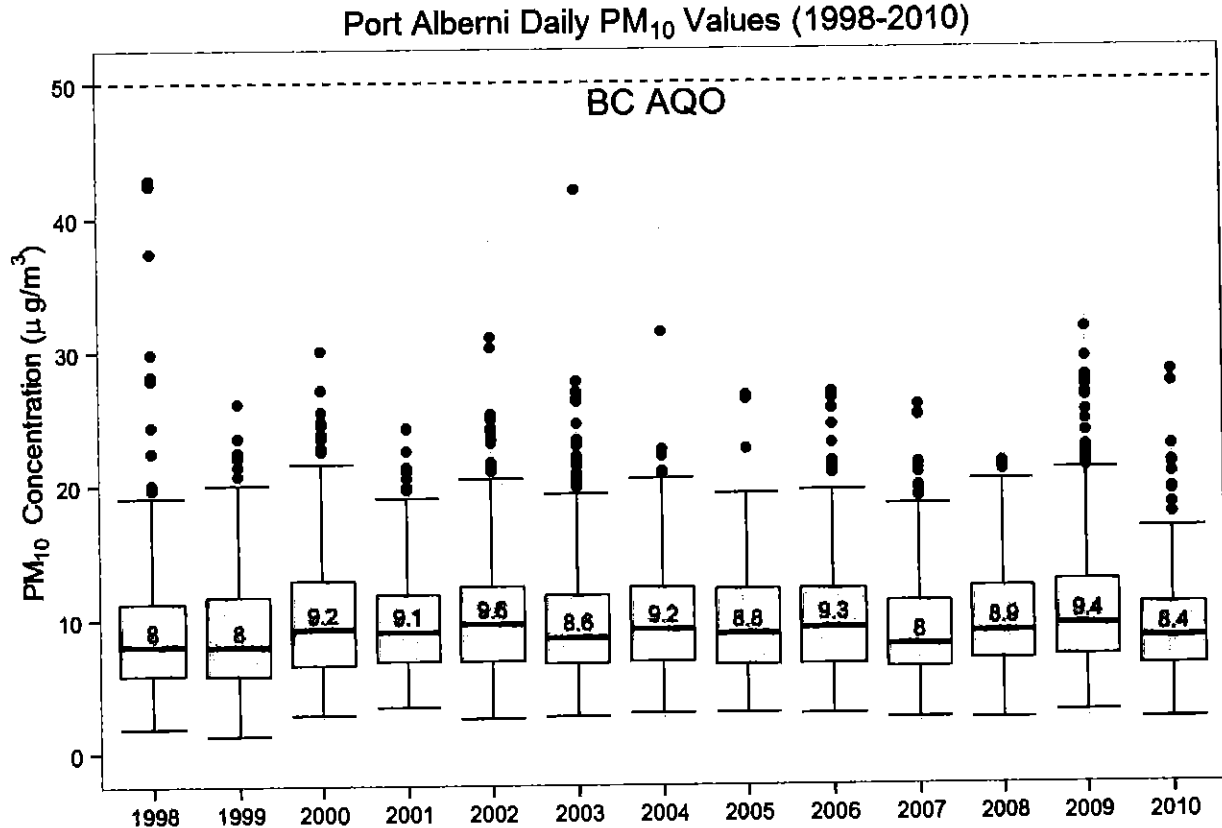


Figure 39: Distribution of daily PM₁₀ values at the Town Site monitoring station over the period 1998-2010. The 24-hour provincial objective is 50 µg/m³.

Temporal patterns in PM₁₀ concentrations at the Townsite station from 1998-2010 can be seen in Figure 40. It should be noted that PM₁₀ mass tends to be dominated by larger particles between 2.5 and 10 microns in diameter (PM_{coarse}). As described in section 2.2.1, PM_{coarse} particles are generally produced from grinding processes and natural sources. The coarse fraction can include things like road dust, pollen, industrial emissions (e.g. sander dust and cyclone emissions), and dust from construction, mining, and demolition activities. These larger particles are much more easily removed from the atmosphere through gravitational settling and precipitation than finer particles.

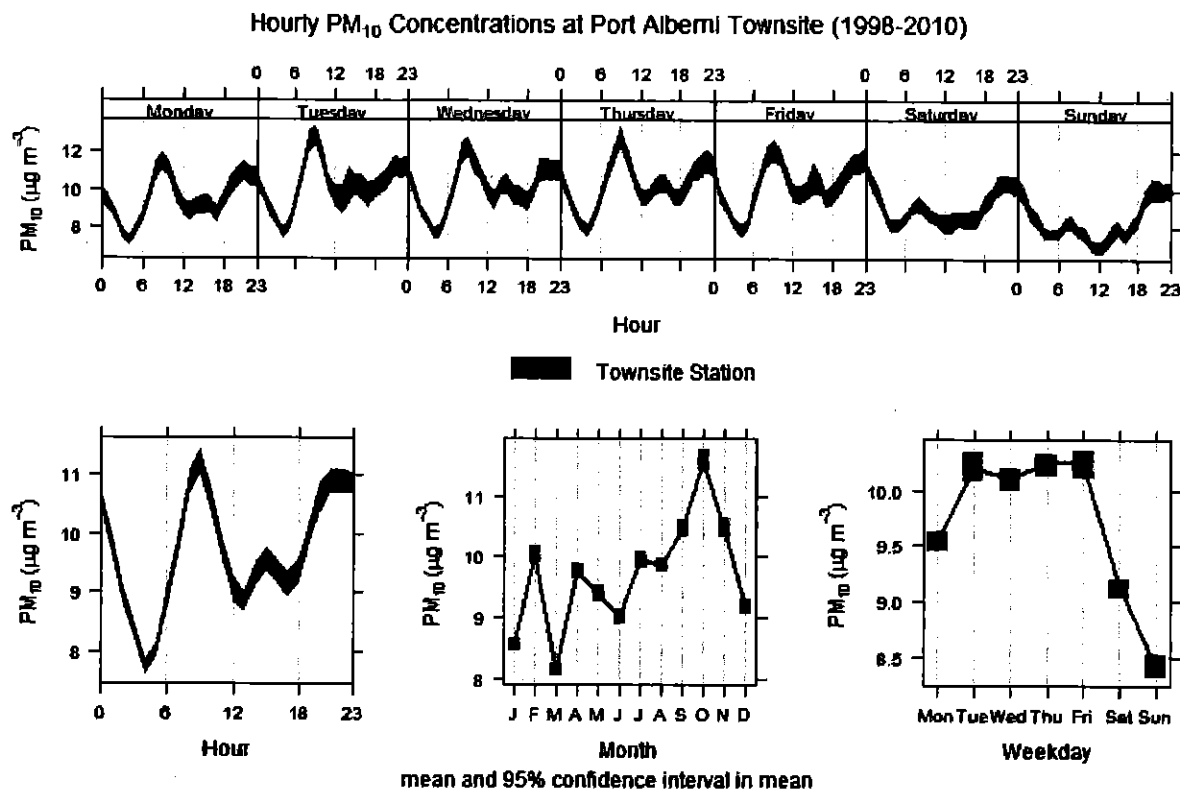


Figure 40: Temporal patterns for PM₁₀ concentrations at the Townsite station from January 1st, 1998 – December 31st, 2010.

Hebdomadal (day of the week) patterns suggest that anthropogenic sources can be significant in terms of PM₁₀ contributions. Given a large enough data set, geophysical conditions such as mixed layer depth, wind speed and humidity levels should be randomly distributed by day of the week (i.e. no geophysical variable “takes the weekend off”), but emissions patterns may be strongly dependent upon the day of the week (Pryor and Steyn, 1995). At the Townsite location, average PM₁₀ values rose during the week days reaching peak values on Friday and then quickly dropped off to corresponding minimum values on Sunday. The average concentration on Sunday was 20% lower than the peak concentration on Friday (average of 8.4 µg/m³ vs. 10.3 µg/m³). This high mid-week vs. low weekend pattern suggests sources tied to work week activities such as fugitive dust from industrial/commercial activities and road dust generated by commuter traffic.

Average monthly PM₁₀ values were highest in the fall, and lowest in the winter due to increased precipitation. The highest levels in September, October, and November appear to be correlated with fall open burning activities combined with local fugitive dust sources. This is the time of the year when the Ministry of Forests typically lifts burn bans and allows large scale open burning to occur; this is also the time of year when area residents are able to begin land clearing burning and residential back yard burning activities. PM₁₀ was likely highest in October due to this sudden increase in open burning activity combined with road dust sources which were still present until the winter rains/snow begins. Sources of PM_{coarse} like road dust are suppressed during the winter months as the roadways are either wet or covered in snow. Rain events remove mobile source dust from the air and inhibit re-suspension of dust for hours

to days after precipitation has occurred (Amato et al. 2012). Local residents also begin to heat with wood at this time of the year and these emissions will contribute to ambient PM₁₀ concentrations.

Hourly average patterns in PM₁₀ (Figure 40) showed a spike in the morning at around 8-10 AM from Monday-Friday. This same morning peak was not evident during the weekends suggesting that the weekday source was mainly dust that was mobilized by traffic as people commuted to work. A secondary spike which was evident during the overnight hours was much more muted on the weekends and almost disappeared by Sunday night when activity near the monitoring site was at a minimum.

3.4.4 Sulphur Dioxide

Sulphur dioxide (SO₂) was monitored at the Fire Hall station from Jan. 28th, 2014 – Feb. 17th, 2015 (MAML) and at the Alberni Elementary station from December 19th, 2013 through to the present. For comparative purposes, paired data from the two sites are examined from February 1, 2014 to January 31, 2015. Concentrations have consistently been very low at both stations relative to provincial objectives (Table 10). There were no exceedances of the one hour guideline of 75 ppb at either monitoring station – the 99th percentile of daily maximum 1-hour averages were 3.9 and 7.9 ppb at the Fire Hall and Alberni Elementary stations, respectively. The annual means recorded at the Fire Hall and Alberni Elementary stations were 0.4 ppb and 0.5 ppb, respectively. While still well below provincial objectives, ambient SO₂ concentrations at the Alberni Elementary station from February 1, 2014 to January 31, 2015 were generally higher than those measured at the Fire Hall station for all metrics examined (Table 10).

Table 10: SO₂ concentrations measured at the Port Alberni Elementary and the Fire Hall stations (Feb. 1, 2014 – Jan 31, 2015).

Performance Indicator	Alberni Elementary	Fire Hall (MAML)
Annual Mean (ppb) ¹	0.5	0.4
Mean 24-hour maximum (ppb) ¹	2.2	1.5
1-hour maximum (ppb) ¹	10.4	8.1
99 th Percentile of daily 1 hour max ^a (ppb) (provincial objective is 75 ppb)	7.9	3.9
^a Daily 1-hour maximum, annual 99 th percentile value, over one year		
¹ Not a provincial objective		

Daily SO₂ concentrations are presented for both sites in Figure 41 and for other temporal scales in Figure 42. Monthly SO₂ concentrations were higher at the Alberni Elementary School site from late spring to early fall. At the Alberni Elementary station, wind comes more often from the Southwest during the spring and summer (especially during the daytime), where industrial and marine vessel SO₂ sources are located (Figure 8). Other more minor sources of SO₂ include mobile sources such as heavy duty diesel truck traffic. There is more truck traffic near the Alberni Elementary School site along Highway 4 than there is near the Fire Hall site along 10th Avenue.

Port Alberni 24-hr SO₂ Average (Feb. 1, 2014 - Jan. 31, 2015)

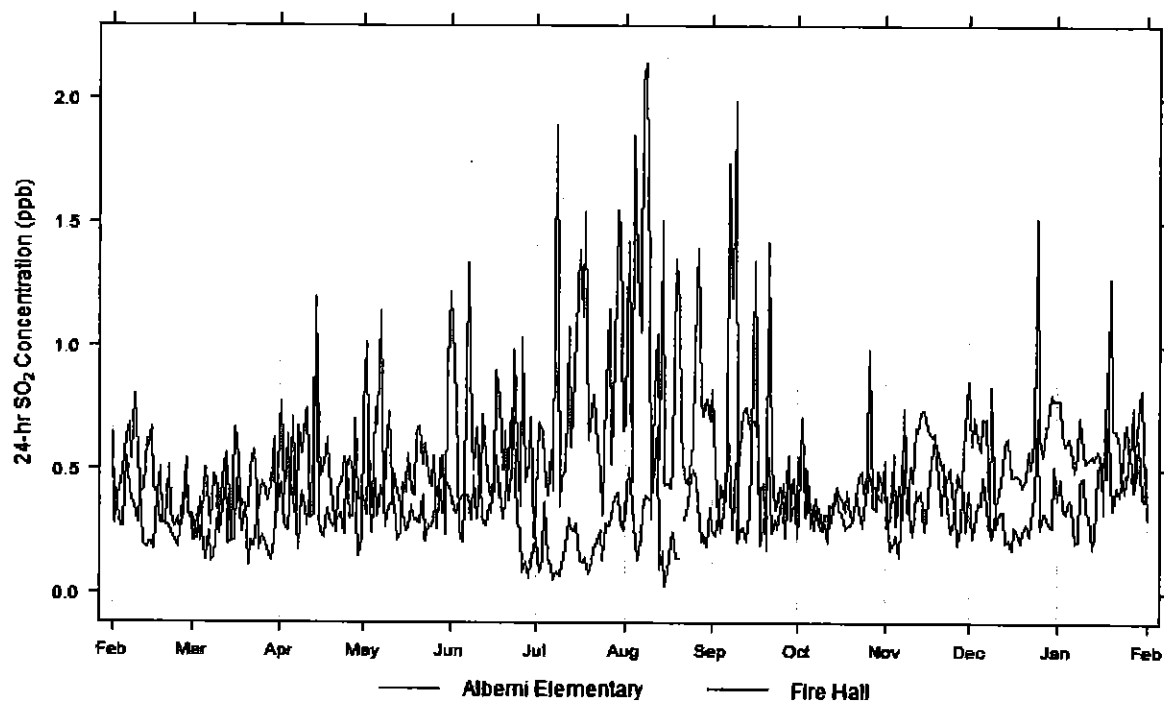


Figure 41: SO₂ concentrations at the Alberni Elementary and Fire Hall (MAML) stations from Feb. 1, 2014 – Jan. 31, 2015.

SO₂ Concentrations in Port Alberni (Feb. 1, 2014-Jan.31,2015)

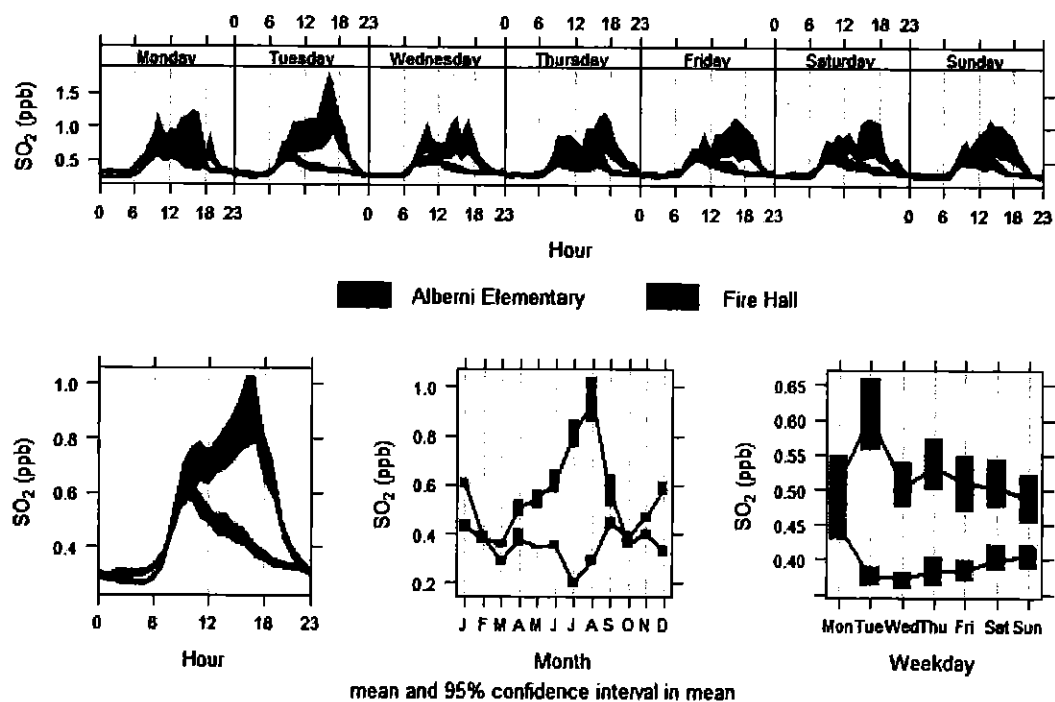


Figure 42: Temporal patterns for SO₂ concentrations at the Alberni Elementary and Fire Hall (MAML) monitoring stations in 2014/2015.

During the late fall and winter months, daily and monthly average concentrations were generally higher at the Fire Hall site than at the Alberni Elementary station. At this time of year, there is a higher frequency of northwesterly winds that would tend to direct SO₂ emissions from industrial (e.g. pulp mill emissions) and marine vessel sources toward the Fire Hall site rather than toward the Alberni Elementary station. Hourly concentrations tended to decrease to similar levels at both stations at night, when production and transportation sources would be at a minimum, and increased at the same time in the morning at both stations (Figure 42). However, SO₂ concentrations continued to increase for much longer in the day at the Alberni Elementary station, until almost 6 PM, whereas concentrations at the Fire Hall peak and began dropping around 9-10 AM.

Figure 43 shows SO₂ levels from a number of air quality monitoring stations across the province (BC Lung, 2015) in 2014. The Port Alberni Elementary School site ranked 13th cleanest out of 28 stations reporting SO₂ concentrations across the province.

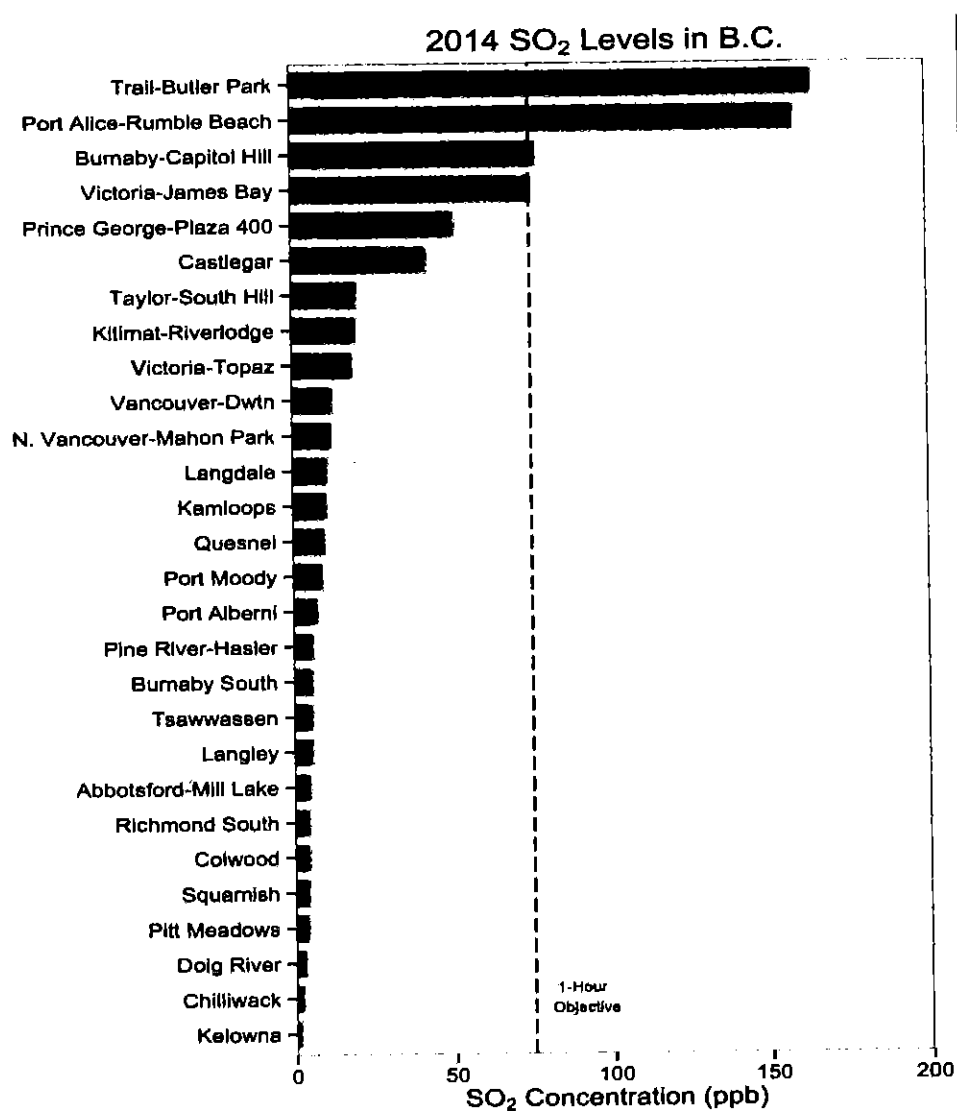


Figure 43. 99th percentile of daily 1-hour maximum SO₂ concentrations across BC (BC Lung, 2015).

The highest SO₂ concentrations (although still very low) appeared to be tied to periods when wind directions were coming from the Catalyst pulp mill. As the Catalyst mill is the largest source of continuous SO₂ emissions in the Airshed (marine vessel emissions are quite varied), this makes intuitive sense.

3.4.5 Nitrogen Dioxide

Nitrogen dioxide (NO₂) was monitored at the BC Hydro station from June 21, 2001 – January 10, 2002 and at the Fire Hall station (MAML) from February 1, 2014 – January 31, 2015. There was not sufficient data collected at the BC Hydro site to meet annual data completeness requirements, but the NO₂ data that was gathered suggested that concentrations were low and would most likely have been well below provincial objectives (Table 11). The annual average for the entire year of data collected at the Fire Hall site from February 1, 2014 to January 31, 2015 was 4.0 ppb, which is well below the Provincial AQO of 32 ppb. There were also no exceedances of the one hour guideline of 100 ppb at either monitoring station. The maximum hourly values recorded at the BC Hydro and Fire Hall stations were 38.0 ppb and 35.9 ppb, respectively. For comparative purposes, the hourly mean values recorded at the BC Hydro and Fire Hall stations in 2001/2002 and 2014/2015 over the same 8 month periods (June to January) were 5.1 ppb and 4.1 ppb, respectively. This represents a drop of 1 ppb or a 20% decrease over the 13 years between measurements in Port Alberni.

Table 11: NO₂ concentrations measured at the Port Alberni BC Hydro (June 16, 2001 – Jan. 11, 2002) and the Fire Hall stations (Feb. 1, 2014 – Jan 31, 2015).

Performance Indicator	BC Hydro ¹ (June 21, 2001 – Jan. 10, 2002)	Fire Hall ¹ (June 21, 2014 – Jan. 10, 2015)	Fire Hall ¹ (Feb. 1, 2014 – Jan. 31, 2015)
Annual mean (ppb) (provincial objective is 32 ppb)	5.1	4.0	4.1
24-hour maximum ² (ppb)	16.3	10.3	12.3
1-hour maximum ² (ppb)	38.0	25.0	35.9
Annual 98 th percentile of daily 1 hour max (ppb - provincial objective is 100 ppb)	28.0	20.5	20.5

¹ Does not meet data requirements – provided only for reference
² Not a provincial objective

As described in Section 2.2, one purpose of the 2014/15 monitoring campaign at the Fire Hall site was to obtain a snapshot of specific pollutants to compare to historical levels measured at the BC Hydro site. Temporal patterns in NO₂ concentrations from the two sites are examined in Figure 44. The highest levels of NO₂ occurred from Monday to Friday in the morning at both stations with a secondary peak in the late afternoon. NO₂ concentrations then drop to overnight minimums due to surface deposition and atmospheric transformation. These week day peaks point mainly to vehicle emissions as people commute to and from work, and also to commercial/industrial source emissions that operate throughout the week, although these emission sources would be relatively constant.

The lowest NO₂ concentrations were measured on weekends at both sites. This highlights the contribution of traffic emissions during the work-week to overall levels. Over the year, concentrations were highest over the winter at both stations; likely in part due to increased combustion sources (heating, increased idling, etc.) at that time of year, poor dispersion meteorology, and less solar energy being available, which

is required to convert NO_x into O_3 . Between the two stations, NO_2 concentrations measured at the Fire Hall site were generally lower than historical measurements at the BC Hydro station at all time-scales examined. A number of factors may have contributed to the reduction in ambient concentrations. The decrease in NO_x emissions over time in the airshed is likely due to a decrease in emissions from motor vehicles (mainly due to more stringent federal emissions standards), but the higher historical levels measured could also be influenced by the station's proximity to both a busier traffic corridor (Stamp Avenue) and the industrial/mobile activities located near the port.

NO_2 Concentrations in Port Alberni

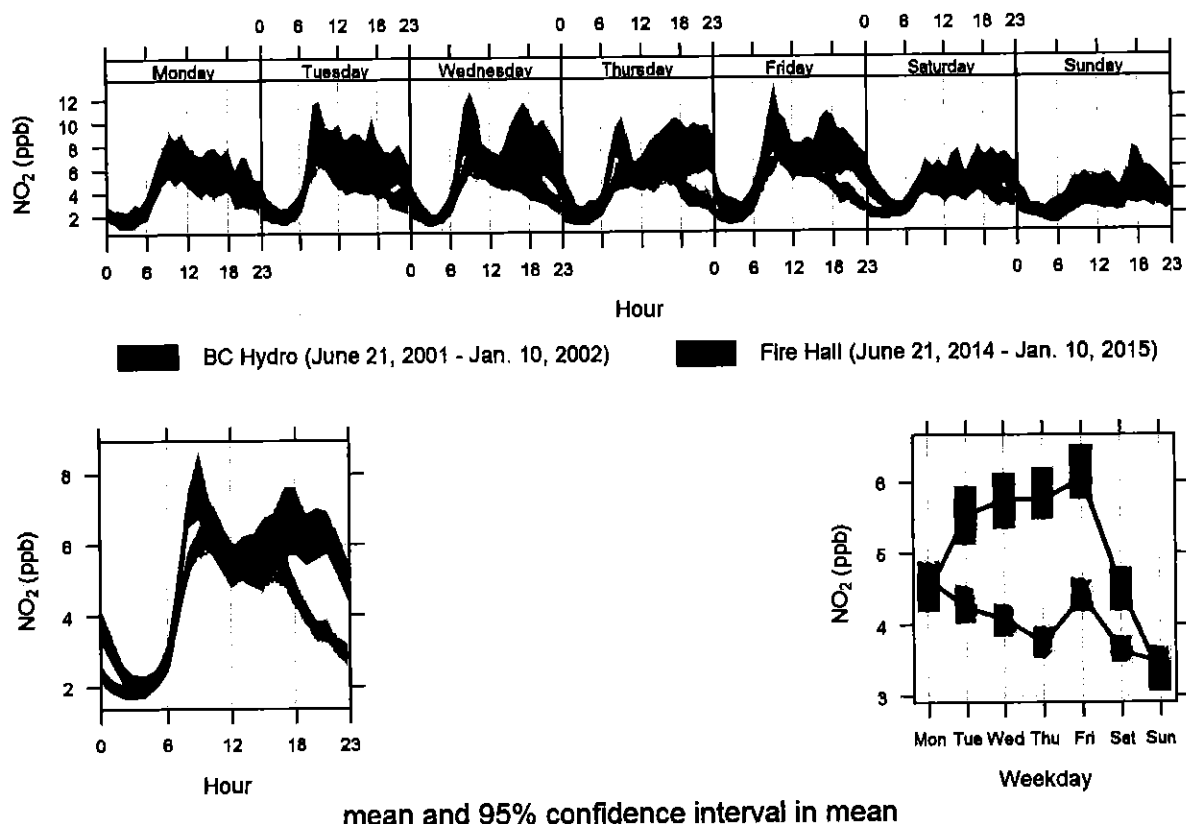


Figure 44: Comparison of temporal patterns for nitrogen dioxide concentration at the BC Hydro (2001/2002) and Port Alberni Fire Hall (2014/2015) monitoring stations (1-hour provincial objective is 100 ppb).

The temporal patterns for NO_2 concentrations at the Fire Hall site for the entire data record (February 1 2014-January 31, 2015) are also presented in Figure 45. Generally, the temporal patterns are the same as in Figure 44 (which shows data from both stations, but only from June 21–January 10). NO_2 concentrations were lowest during the summer and highest during the winter months, likely due to changes in emissions and meteorological conditions.

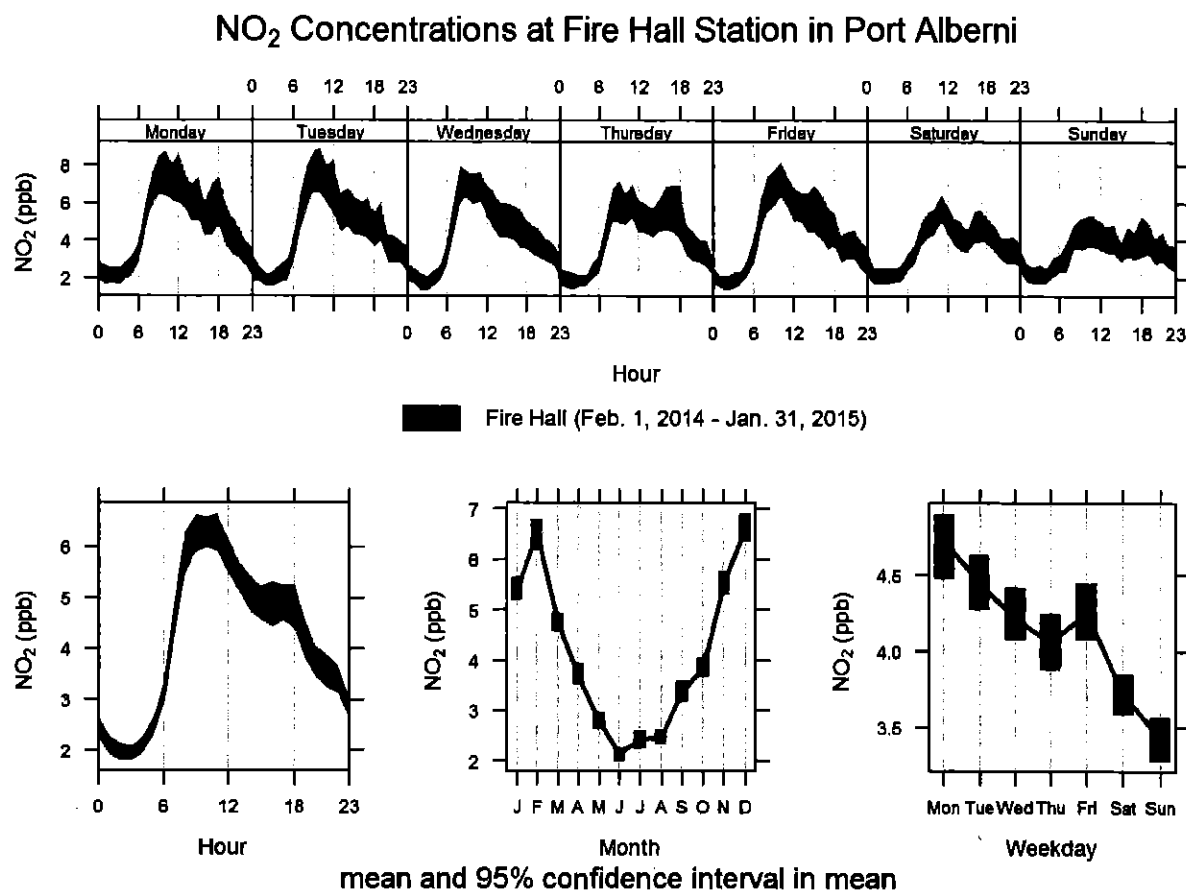


Figure 45. Temporal patterns in nitrogen dioxide concentrations at the Fire Hall (MAML) Site - Feb 1, 2014-Jan 31, 2015.

Overall, the NO₂ concentrations measured at the Fire Hall site in 2014/15 were lower than those measured in 2001/02 at the BC Hydro site. The decrease in hourly average concentrations from 2001/02 to 2014/15 is consistent with what has been measured across the Canadian National Air Pollution Surveillance Program (NAPS) network. NAPS reported a decreasing trend of 0.3 ppb per year in British Columbia from 1999 to 2013 for NO₂ and stated that this is consistent with the reduction in NO_x emissions from cars and trucks resulting from more stringent emissions standards (Environment and Climate Change Canada, 2016).

3.4.6 Ozone

Ozone (O₃) was monitored at the BC Hydro station from June 16, 2001 – January 10, 2002 and at the Fire Hall station February 1, 2014 – January 31, 2015. There was not sufficient data collected at the BC Hydro site to meet annual data completeness requirements, but the ozone data that was gathered suggests that concentrations were low and would have been well below provincial objectives (Table 12). There were no exceedances of the one hour AQO of 82 ppb or of the 8-hour mean AQO of 63 ppb at either monitoring station. For comparative purposes, the hourly mean values recorded at the BC Hydro and Fire Hall stations in 2001/2002 and 2014/2015 over the same 8 month periods (June to January) were 13.8 ppb and 14.3 ppb and the maximum hourly values recorded were 49.0 ppb and 45.6 ppb, respectively. These

values are quite similar and within the range of what might be expected due to differences in meteorology between the periods examined.

Table 12: O₃ concentrations measured at the Port Alberni BC Hydro (June 16, 2001 – Jan. 11, 2002) and Fire Hall stations (Feb. 1, 2014 – Jan 31, 2015).

Performance Indicator	BC Hydro¹ (June 16, 2001 – Jan. 10, 2002)	Fire Hall¹ (Feb. 1, 2014 – Jan. 31, 2015)	Fire Hall¹ (June 16, 2014 – Jan. 10, 2015)
Annual mean (ppb) ²	13.8	17.0	14.3
Maximum 24-hour mean (ppb) ²	31.9	41.5	35.6
Maximum 1-hour mean ^a (ppb) (provincial objective is 82 ppb)	49.0	54.6	45.6
4 th highest 8-hour mean ^b (ppb) (provincial objective is 63 ppb)	36.0	41.5	40.3
^a For advisory purposes – no percentile for annual reporting			
^b Annual 4 th highest value of 8 hour average, calculated every hour, averaged over three consecutive years			
¹ Does not meet data requirements -- provided only for comparative purposes			
² Not a provincial objective			

Temporal patterns in O₃ concentrations from the two sites are examined in Figure 46. At both sites, the diurnal cycle of ozone concentration reached a peak during the middle of the day and had lower nighttime concentrations. The O₃ concentration slowly increased after sunrise, reaching maximum concentrations in the late afternoon when solar irradiance was at its peak, and then slowly decreased to a minimum in the early morning hours. There were slight differences in peak timing and magnitude measured at the two sites that could be attributable to differences in meteorology during the two periods of measurement, but could also be influenced by local sources of NO_x. There were also differences between the sites in terms of hebdomadal and monthly average patterns, but generally the concentrations were similar.

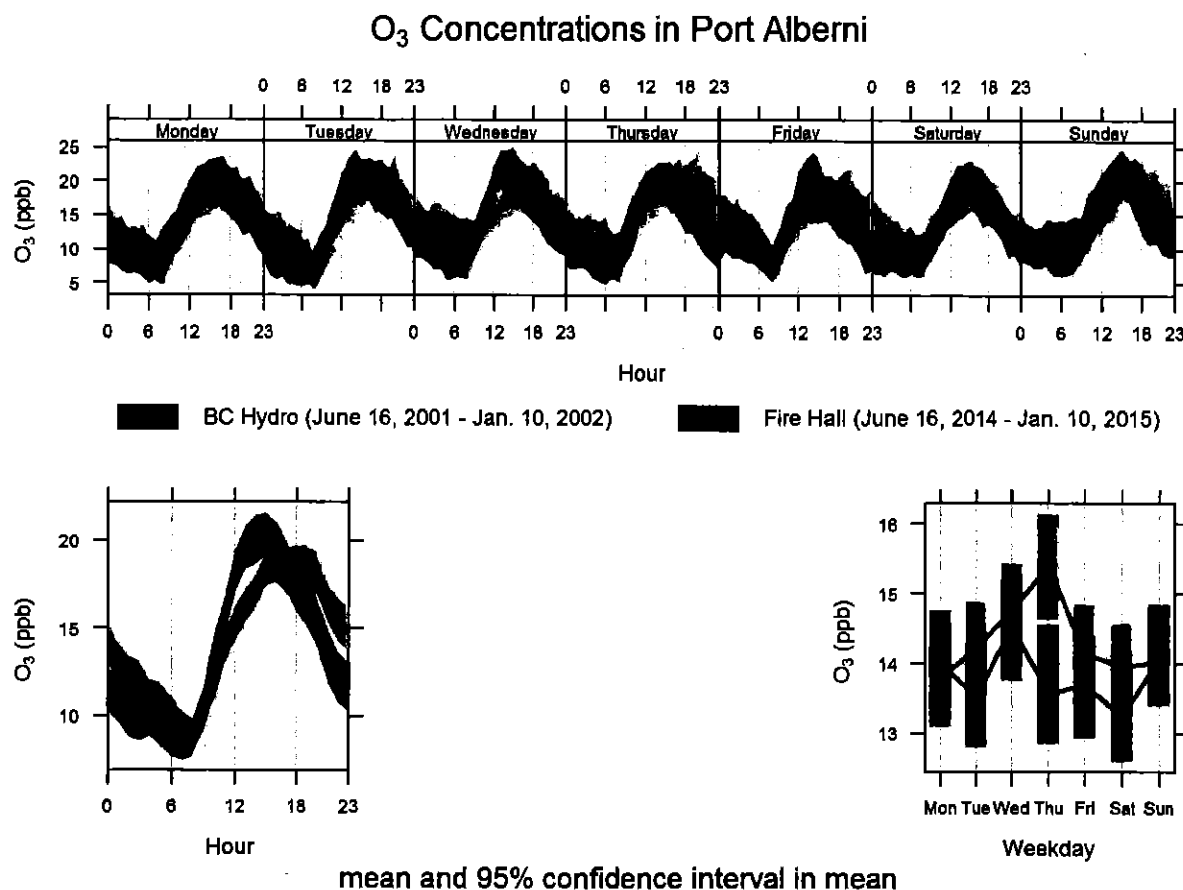


Figure 46: Temporal ozone concentration comparisons at the Fire Hall (2014/2015) and BC Hydro (2001/2002) monitoring stations.

The temporal patterns for O₃ concentrations measured at the Fire Hall site for the entire monitoring period (February 1 2014-January 31, 2015) are presented in Figure 47. Generally, the diurnal and hebdomadal patterns are the same as in Figure 46 even though a complete annual record is shown. Seasonally, O₃ is highest in the spring and lowest in the winter, with a secondary peak in the fall. Ozone levels peaking in the spring is typical for the Northern Hemisphere (Vingarzan, 2004) and is generally indicative of background conditions rather than local emissions, although the origin of the spring maximum remains under continued debate. One popular theory supports a buildup of precursor pollutants over the winter months, which is caused by increased anthropogenic pollution as well as biogenic Volatile Organic Compounds (VOCs) in the spring as a result of vegetative growth. Enhanced photochemical activity results from the reaction of this pollutant pool with increased solar radiation in the spring (Gibson et al., 2009).

Annual distributions of hourly O₃ measurements over the entire monitoring period at the Fire Hall site are provided in the boxplot in Figure 48. It is interesting to note that there is not a significant mid-summer peak (July and August) in monthly or hourly O₃ concentrations which are generally attributed to local photochemical production.

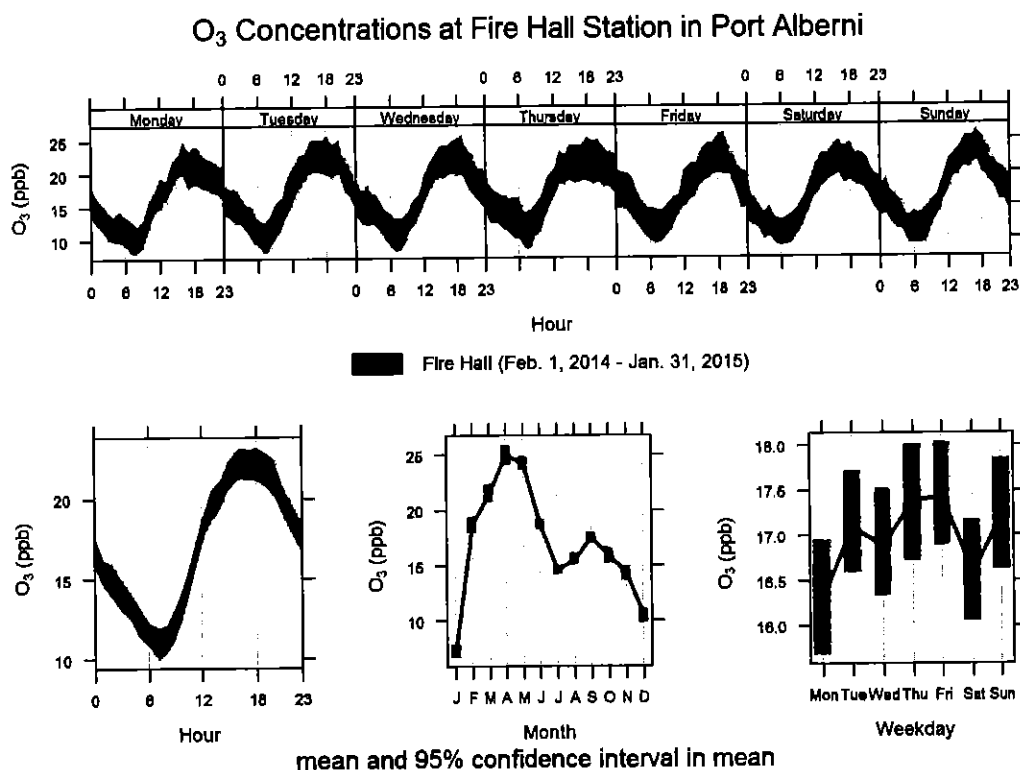


Figure 47. Temporal patterns in ozone concentrations at the Fire Hall Site (Feb 1, 2014-Jan 31, 2015).

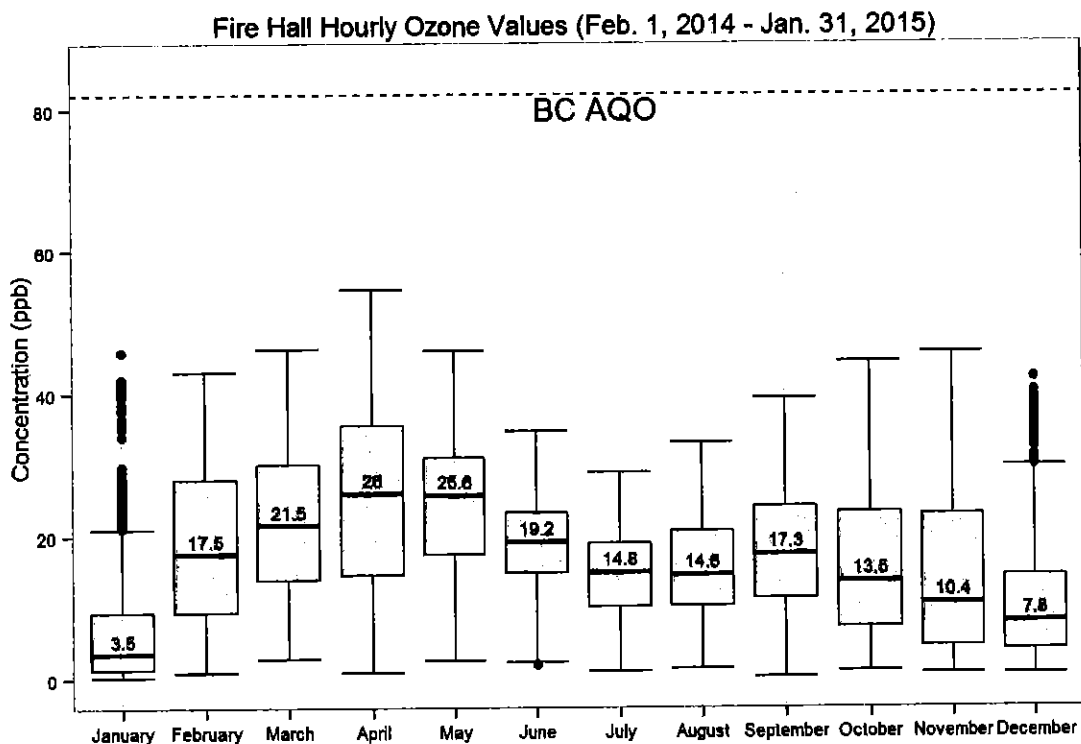


Figure 48: Annual distribution of 1-hour average ozone concentrations at the Port Alberni Fire Hall (MAML) - February 1, 2014 to January 31, 2015.

Ground-level ozone concentrations were well below provincial AQOs and were low relative to concentrations found in other BC communities. Figure 49 shows ozone levels from a number of air quality monitoring stations across the province (BC Lung, 2015) for 2014. The Port Alberni Fire Hall site (MAML) recorded the 3rd lowest ozone concentration out of 31 reporting sites across the province.

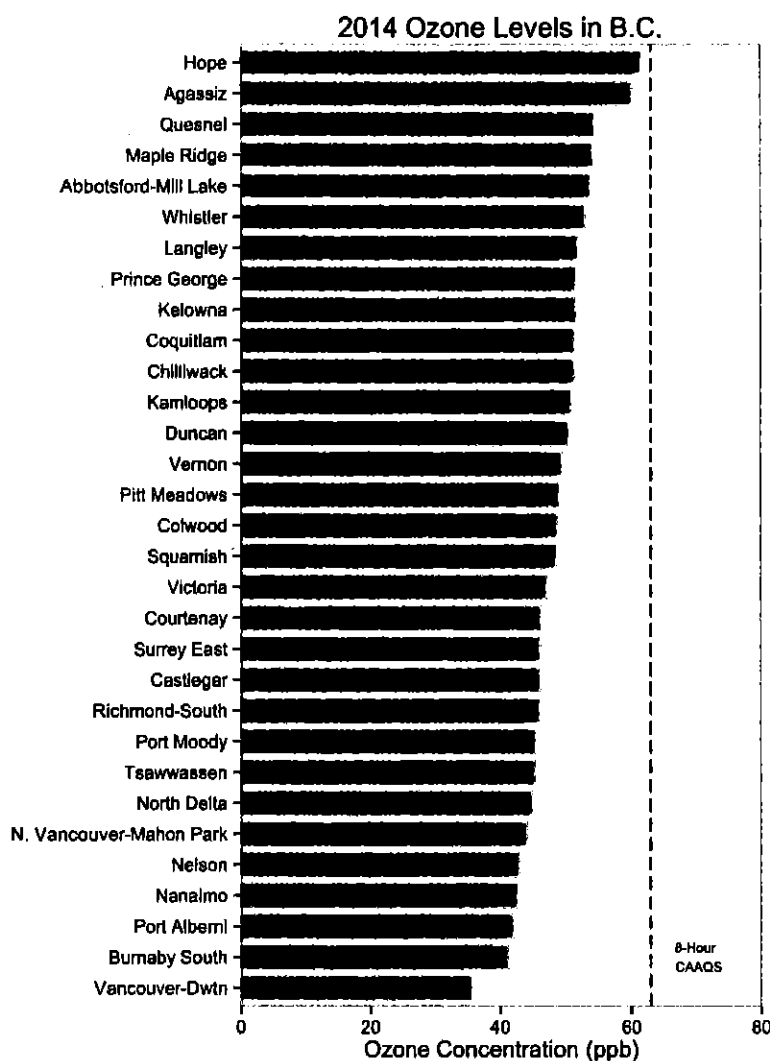


Figure 49. Maximum 8-hour average ozone levels across British Columbia 2014 (BC Lung, 2015).

Generally, the O_3 measurements obtained from the Fire Hall site are similar to those collected at the BC Hydro site 13 years ago and the differences are within the range of what might be expected due to differences in meteorology between the periods examined, and differences in influence from local NO_x sources.

4 Conclusions

The mountainous terrain around Port Alberni inhibits air circulation which can reduce the ability of the atmosphere to disperse pollutants. The valley location of Port Alberni also makes it susceptible to the frequent formation of temperature inversions, particularly during the colder months. An analysis of meteorological data for Port Alberni from October 2012 to January 2015 indicated that mean wind speeds were lowest in the winter and highest in the summer, and that calm wind conditions (when wind speed is below 0.5 m/s) were most frequent during the fall and winter months. Lighter wind speeds and a high frequency of calms (up to 45% of the time) during the winter period results in poor atmospheric dispersion that can lead to a build-up of pollutants in the area.

PM_{2.5} is the main pollutant of concern in Port Alberni. It is the only parameter for which both annual and daily exceedances of BC's AAQOs were observed. The 2014 annual average for the Port Alberni Elementary School monitoring location ranked the site 9th highest out of 43 communities reporting PM_{2.5} concentrations across the province. Daily average AAQO exceedances occurred up to a maximum of 5.4% of the time in 2013 and occurred in every year since PM_{2.5} monitoring began. PM_{2.5} concentrations measured at two sites in Port Alberni showed a clear seasonal pattern with lower concentrations being measured in the spring/summer and higher concentrations measured in the fall/winter due to changes in emissions and meteorology. All of the exceedances of the daily AAQO in all years occurred during the colder months; however, wildfire smoke impacts were evident during the summer months in some years. Smoke from wildfire hazard abatement burning from numerous forestry operations in the area can be a significant source of PM_{2.5} during the fall as is commercial (land clearing) and residential (backyard burning) open burning.

There was a bimodal pattern in peak diurnal PM_{2.5} concentrations with maxima occurring in the evening and morning hours. These patterns are mainly attributable to the influence of space heating, especially woodstoves. Hebdomadal PM_{2.5} concentration patterns show that average weekend levels are higher than average mid week levels at the Port Alberni Elementary station. This suggests that residential open burning on weekends is a significant source of PM_{2.5} as this is when people are the most active around their homes. An increase in woodstove use on weekends may also be a contributing factor.

Annual mean PM_{2.5} concentrations were the same at the two monitoring locations in 2014/15. However, there were a higher number of daily AAQO exceedances and extreme values experienced during the winter months at the Alberni Elementary station than at the Fire Hall station (MAML). Analysis of seasonal and diurnal pollution roses suggests that PM_{2.5} emission sources impacting this area during the winter months were located to the Northeast of the Alberni Elementary School, much of which is outside of city limits (e.g. the Cherry Creek area). High concentrations of PM_{2.5} also occurred with winds from the North and Northwest during both the day and nighttime hours, pointing to open burning and home heating sources in that sector (the Beaver Creek area). Analysis also indicates that industrial source emissions might play a more important role at the Fire Hall site during the winter than at the Alberni Elementary site. The weekend effect is not as strong at the Fire Hall site suggesting that emissions from activities such as residential backyard burning and open burning have a more localized impact on the northern part of the community. Drainage flows also appear to be an important feature in Port Alberni and can bring emissions from sources located at higher elevations to residential areas located in the valley bottom.

The mobile Nephelometer study found that $PM_{2.5}$ concentrations were quite varied over the City on any given night. It also found that elevated $PM_{2.5}$ concentrations were recorded more often in some areas of the city, like Beaver Creek Road to the west of the city and in North Port even when levels were low across much of the rest of the City. Higher $PM_{2.5}$ concentrations occurred in certain areas during low wind conditions, strongly suggesting buildup due to local sources such as wood stoves and open burning activities. Over the eight nights examined, the highest concentrations consistently occurred to the west of the city along Beaver Creek Rd. and in North Port. Results from the study also suggest that the Alberni Elementary station is located appropriately as it is in an area of North Port that consistently recorded higher $PM_{2.5}$ concentrations during the study.

Over the 1998-2010 monitoring period, PM_{10} concentrations remained stable and were below the 24-hour BC AAQO, with no exceedances observed. Hebdomadal patterns in 24-hour PM_{10} concentrations show a late weekday maximum and a weekend minimum. The high mid-week vs. low weekend pattern suggests sources tied to work week activities such as fugitive dust from industrial/commercial activities and road dust generated by commuter traffic. Diurnal patterns in PM_{10} suggest that concentrations are largely driven by road dust from people commuting to and from work. Average monthly PM_{10} values were highest in the fall due to additional PM_{10} emissions from open burning combined with local dust sources, and were lowest in the winter due to the scavenging/binding effect of increased precipitation on PM_{coarse} particles.

SO_2 levels measured in Port Alberni were very low and were well below the BC Ambient Air Quality Objective (BC AAQO). In 2014, the Port Alberni Elementary School site ranked 13th cleanest out of 28 stations reporting SO_2 concentrations across the province. Analysis of the data sets from Alberni Elementary School and the Fire Hall site in 2014/15 showed that there were slightly higher concentrations measured at the Alberni Elementary site. Seasonally, SO_2 concentrations were similar at both sites during the spring and fall, higher at the Alberni Elementary site during the summer and higher at the Fire Hall site in the winter. The data collected at two locations in Port Alberni suggest that the Alberni Elementary School site is well located to capture SO_2 impacts from industrial and mobile sources in the valley.

An analysis of NO_2 concentrations measured at two sites in Port Alberni showed a clear seasonal pattern with lower NO_2 concentrations in the summer and higher concentrations in the winter, likely due to changes in emissions and meteorology. The diurnal pattern showed two peaks, one in the morning and one in the late afternoon, corresponding with commuter traffic patterns. Hebdomadal patterns showed higher concentrations during the week and lower concentrations on weekends when commuter traffic was at a minimum. NO_2 concentrations measured at the BC Hydro and Fire Hall stations were well below the BC AAQOs. A comparison of the hourly mean values recorded at the BC Hydro and Fire Hall stations over the same 8 month periods (June to January) indicated a 20% decrease in average concentrations over the 13 years between measurements in Port Alberni. This is consistent with declines in NO_2 concentrations across Canada and can likely be attributed to reductions in vehicle emissions over this time.

Mean monthly O_3 concentrations at the Fire Hall site exhibited a springtime peak consistent with other communities in the northern hemisphere. The lack of a significant summertime peak in 1-hour averages indicates that locally generated O_3 is not an important consideration and that local emissions are not sufficient to create an ozone problem in the valley. O_3 levels measured at the BC Hydro and Fire Hall

stations were well below provincial objectives and concentrations from the Fire Hall site ranked Port Alberni 3rd lowest out of 31 reporting sites in the province in 2014. The O₃ measurements obtained from the Fire Hall site in 2014/15 were similar to those collected at the BC Hydro site 13 years ago and the differences are within the range of what might be expected due to differences in meteorology, and NO_x concentration/source influences, between the periods examined.

In summary, an examination of ambient air quality data from four monitoring stations in the City of Port Alberni found that there were no exceedances of the BC AAQO for PM₁₀, NO₂, O₃, or SO₂ during the study period while there were exceedances of the BC AAQO for PM_{2.5} in every year since monitoring began. Air quality as measured by PM_{2.5}, was generally good at both measurement locations during the warm months but degraded during the fall and winter due to changes in meteorology and emission sources. While annual average PM_{2.5} concentrations were the same for the two monitoring locations, more frequent daily exceedances of the BC AAQO occurred at the Alberni Elementary School site, and extreme values were higher in magnitude at this location. Analysis suggests that wood smoke from sources such as large-scale (land clearing and forestry operations) and small-scale (residential) open burning activities as well as from residential/commercial wood burning appliances are main contributors to these episodes. Analysis indicates that local smoke sources are important at both sites but that sources from outside of the City can have a significant effect on local PM_{2.5} concentrations. Analysis also suggests that industrial contributions can be important, particularly in central Port Alberni.

5 Recommendations

Based on the seasonal and spatial patterns found in PM_{2.5} levels measured at monitoring sites in Port Alberni, the following recommendations are made:

1. Additional measures to address sources of wood smoke in the Alberni Valley should be considered. Action is needed to manage smoke impacts from both large-scale open burning and residential back yard burning, as well as emissions from wood-burning appliances.
2. Additional measures to address both large-scale open burning and residential back yard burning, as well as smoke impacts from wood-burning appliances in the Cherry Creek area and North Port need to be explored and implemented.
3. All levels of government need to continue to effectively manage all sources of fine particulate in the valley with a goal of continuous improvement from all source sectors – e.g. mobile, commercial, industrial, and residential.

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Appendix A Mobile Nephelometer Study

Methods

Residential complaints made to the City of Port Alberni were used as the basis for selecting the driving route for the mobile Nephelometer study (please see Results section below for route directions).

Monitoring was done with a Radiance Research M903 Nephelometer (Figure 50) operated from the backseat of a Toyota Forerunner. A fan was used to draw external air into the Nephelometer intake. A sample line heater was used to adjust intake air to a constant temperature and humidity.

The Nephelometer intake tube extended out of the car from a slightly opened window, as seen in Figure 50. A GPS device was used to track sampling locations as the vehicle moved along the driving route. The intent of this study was to make runs on cold clear evenings from December 18, 2012 to February 25, 2013. Weather conditions were sometimes limiting, however, resulting in deviations from this timeframe. The route was always driven in the same direction and generally had the same start and stop location. There were adjustments to the driving route based on the results gathered from the first trips, but the majority of the route remained the same throughout the study.



Figure 50: Photo of the installation of the Nephelometer in the back seat of the vehicle with sampling intake out the side window.

The Nephelometer measures light scatter, with higher $PM_{2.5}$ concentrations resulting in higher light scatter readings. An equation developed from studies in Seattle, WA, was used to convert light scatter into $PM_{2.5}$ concentrations in micrograms per cubic metre: $PM_{2.5} (\mu g/m^3) = ((100,000 \times \text{light scatter value}) - 0.01) / 0.28$. This formula was also used in a University of Victoria study on backyard burning in the Capital Regional District (Setton et al., 2007).

The Nephelometer and GPS device both logged data every 15 seconds. However, while the Nephelometer logged at 0, 15, 30, and 45 second marks of each minute, the GPS device started from the time it was turned on and obtained a satellite signal. The maximum time differential between the GPS and Nephelometer was 7 seconds. The Nephelometer's internal clock was found to drift over time. It was calibrated at the start of the study and re-adjusted on Feb 25. After each run the Nephelometer data was downloaded in text format using the program HyperTerminal. The GPS data was downloaded and converted to text format using the Garmin program Mapsource. The Nephelometer and GPS data was

then imported into Microsoft Excel. The backscatter formula was applied and Nephelometer and GPS data were matched up by time. The resulting dataset was then mapped out for each run using the geographic information system ArcMap. These maps were then analyzed to look for reoccurring $PM_{2.5}$ hotspots in Port Alberni.

Results

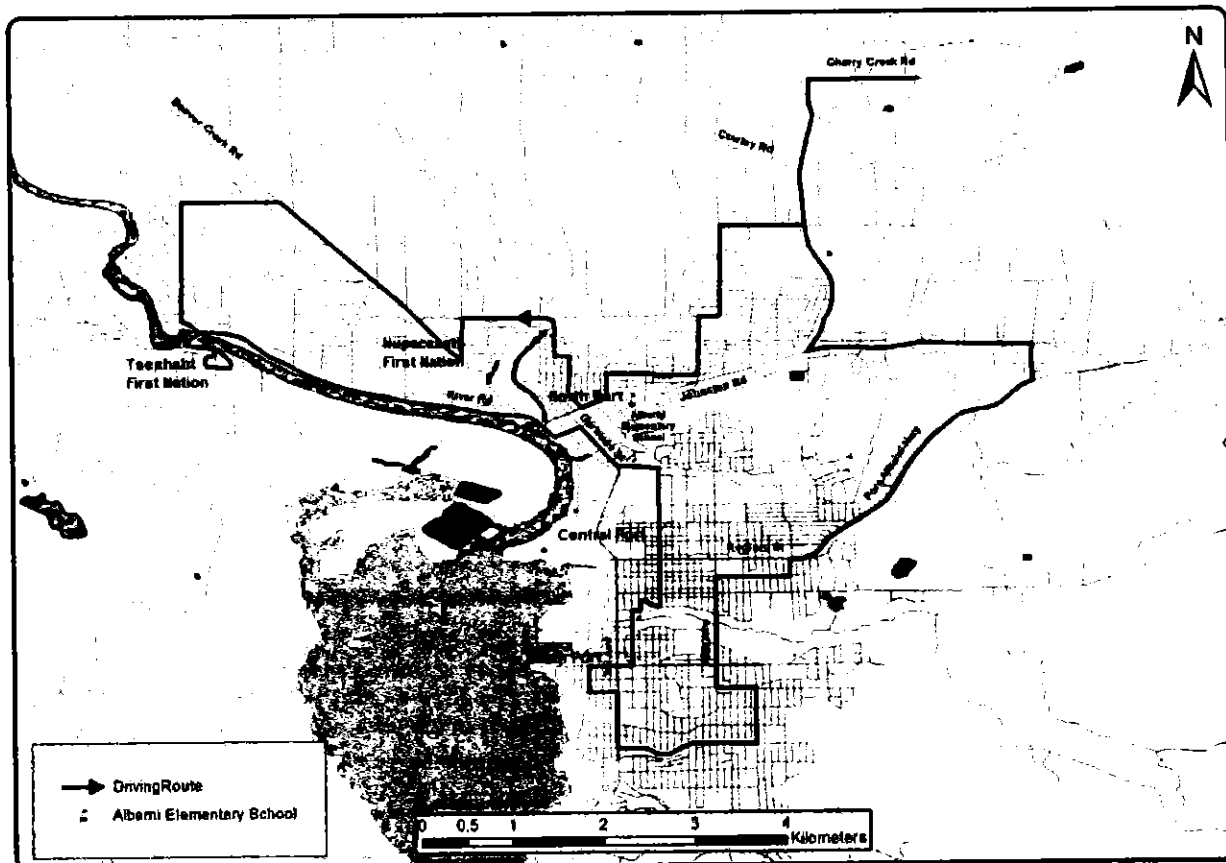


Figure 51: Mobile Nephelometer driving route in Port Alberni (Dec. 18, 2012 to Feb. 25, 2013).

Fine Particulate Matter Concentrations in Port Alberni, BC

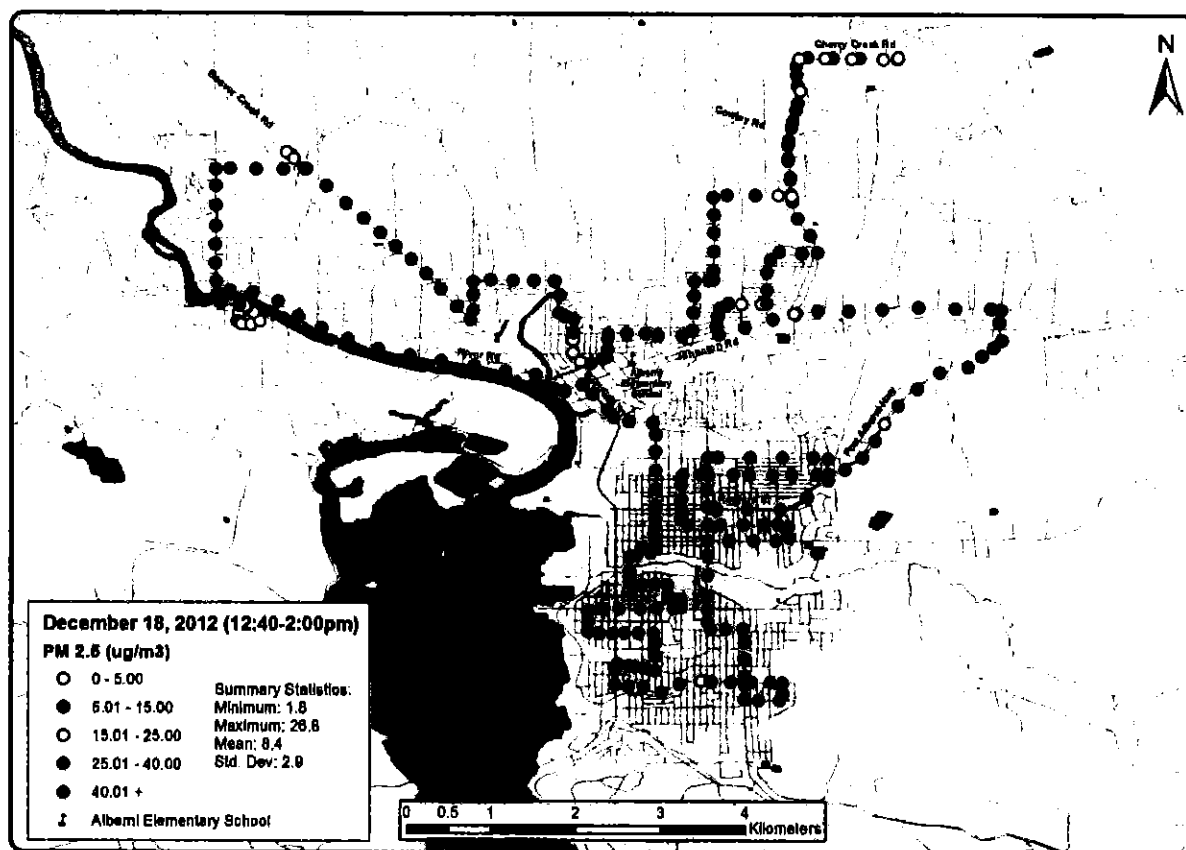


Figure 52: Mobile Nephelometer results for Tuesday, Dec. 18, 2012. From 12-2 PM, the Alberni Elementary station recorded average hourly average $\text{PM}_{2.5}$ of $24 \mu\text{g}/\text{m}^3$ at noon which dropped to $8 \mu\text{g}/\text{m}^3$ by 2 PM. Light winds from the NW at $\sim 0.5 \text{ m/s}$. Temperature data was not available.

Fine Particulate Matter Concentrations in Port Alberni, BC

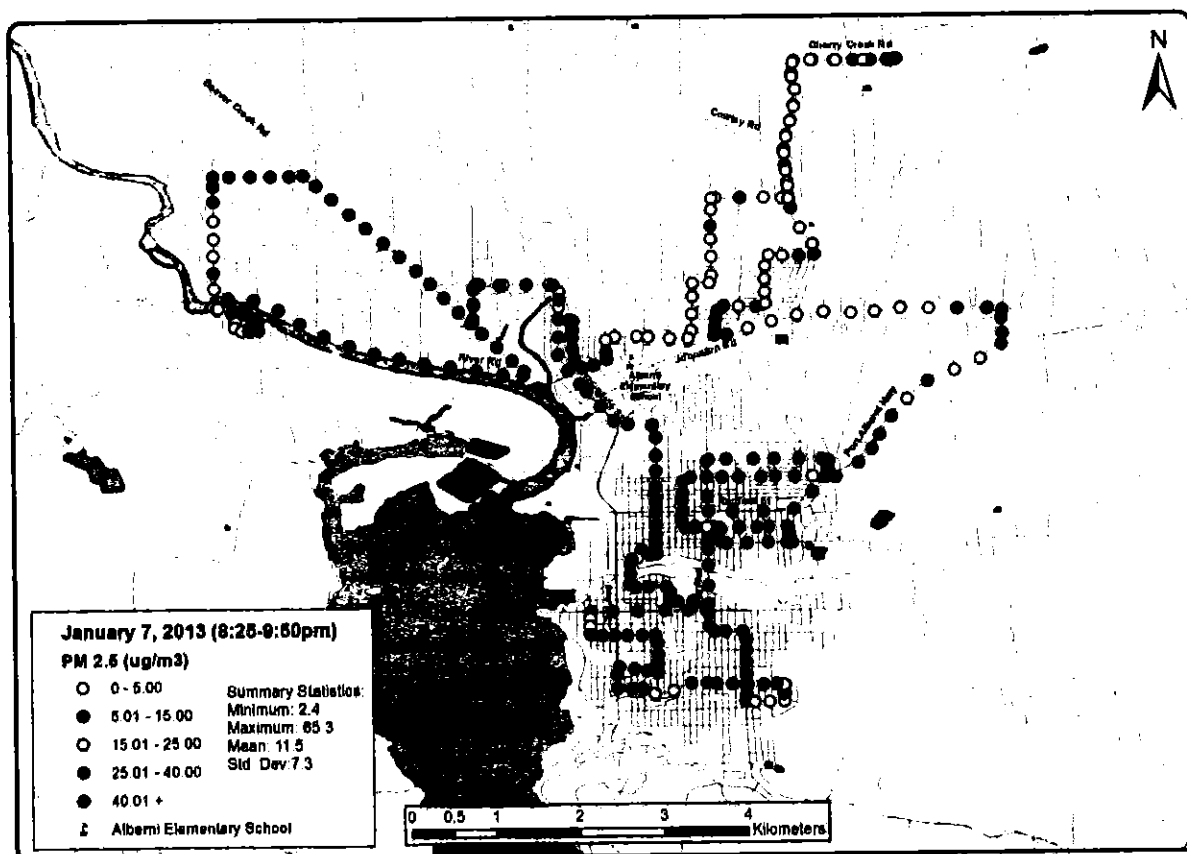


Figure 53: Mobile Nephelometer results for Monday, Jan. 7, 2013. From 8-10 PM, the Alberni Elementary station recorded temperatures were 2-3 °C and winds at ~1 m/s from the NW. PM_{2.5} data was not available from Alberni Elementary. The Nephelometer recorded fair PM_{2.5} levels across much of the city, other than in Cherry Creek, where values were higher, including one measurement above 40 µg/m³.

Fine Particulate Matter Concentrations in Port Alberni, BC

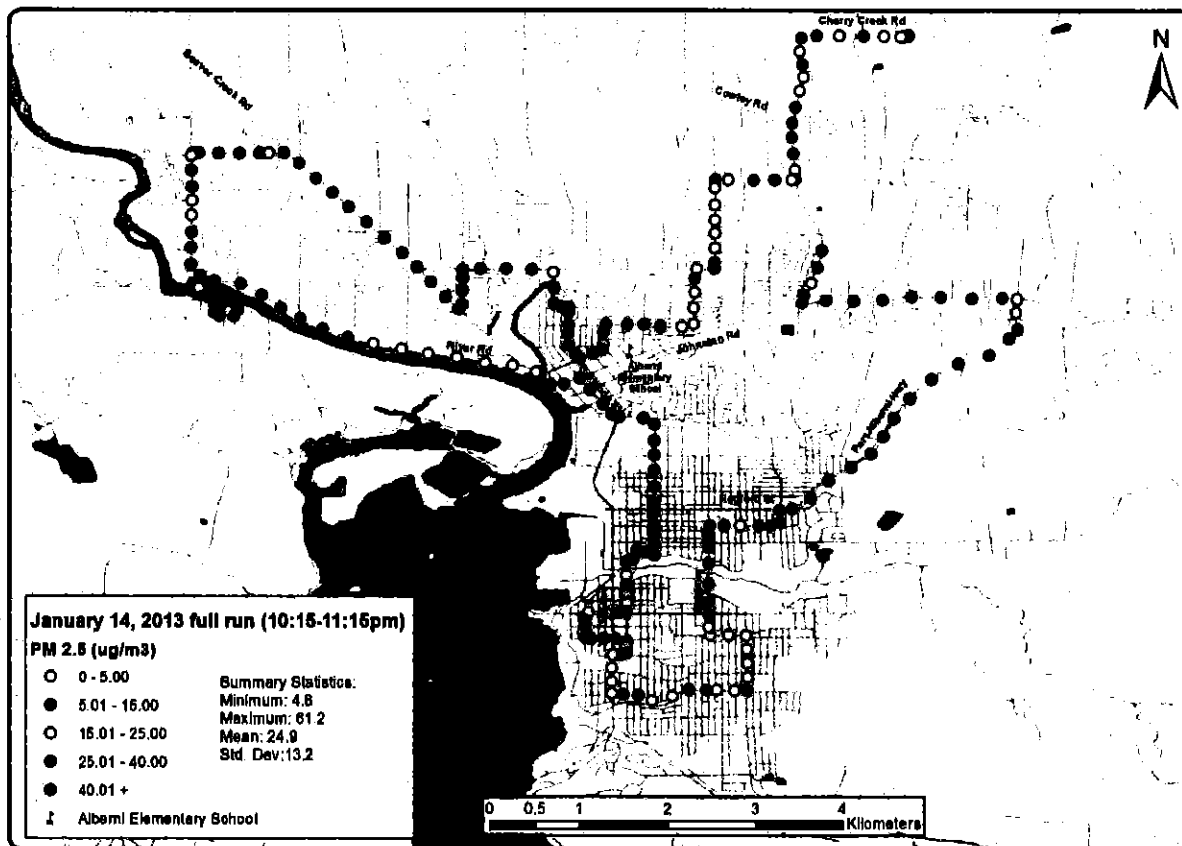


Figure 54: Mobile Nephelometer results for Monday, Jan. 14, 2013. From 10-12 PM, the Alberni Elementary station recorded hourly average $PM_{2.5}$ at $20-34 \mu\text{g}/\text{m}^3$, temperature at $\sim 1^\circ\text{C}$, and wind at $\sim 0.5 \text{ m/s}$ from the NE. The mobile Nephelometer measured elevated $PM_{2.5}$ levels in three areas of the city on January 14th – Cherry Creek in the north, along Beaver Creek Rd. and River Rd. to the West, and by the Harbour Quay to the South, suggesting various sources across the city.

Fine Particulate Matter Concentrations in Port Alberni, BC

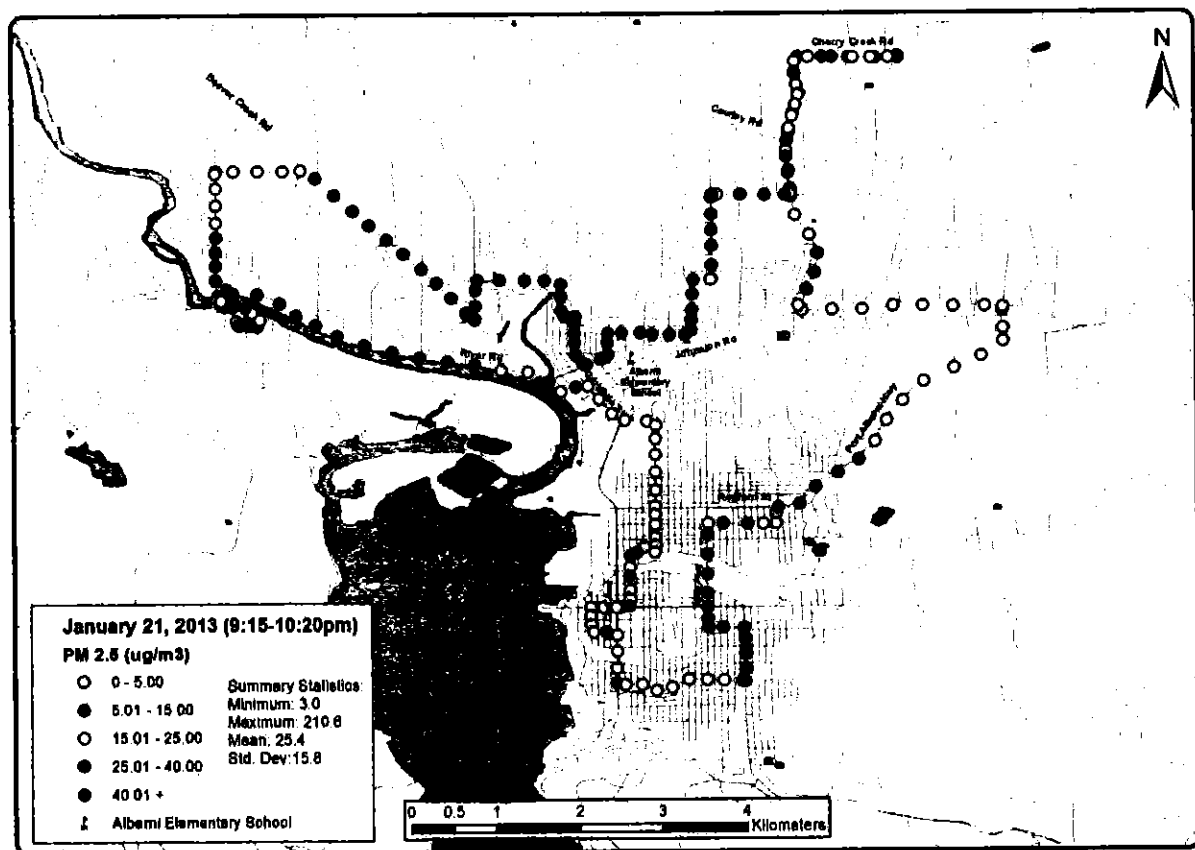


Figure 55: Mobile Nephelometer results for Monday, Jan. 21, 2013. From 9-11 PM, the Alberni Elementary station recorded average hourly $PM_{2.5}$ at $32-53 \mu\text{g}/\text{m}^3$, temperature at $\sim -1^\circ\text{C}$, and wind at $\sim 0.5-1 \text{ m/s}$ from the NW. Variable $PM_{2.5}$ levels across the city on the 21st suggest various sources.

Fine Particulate Matter Concentrations in Port Alberni, BC

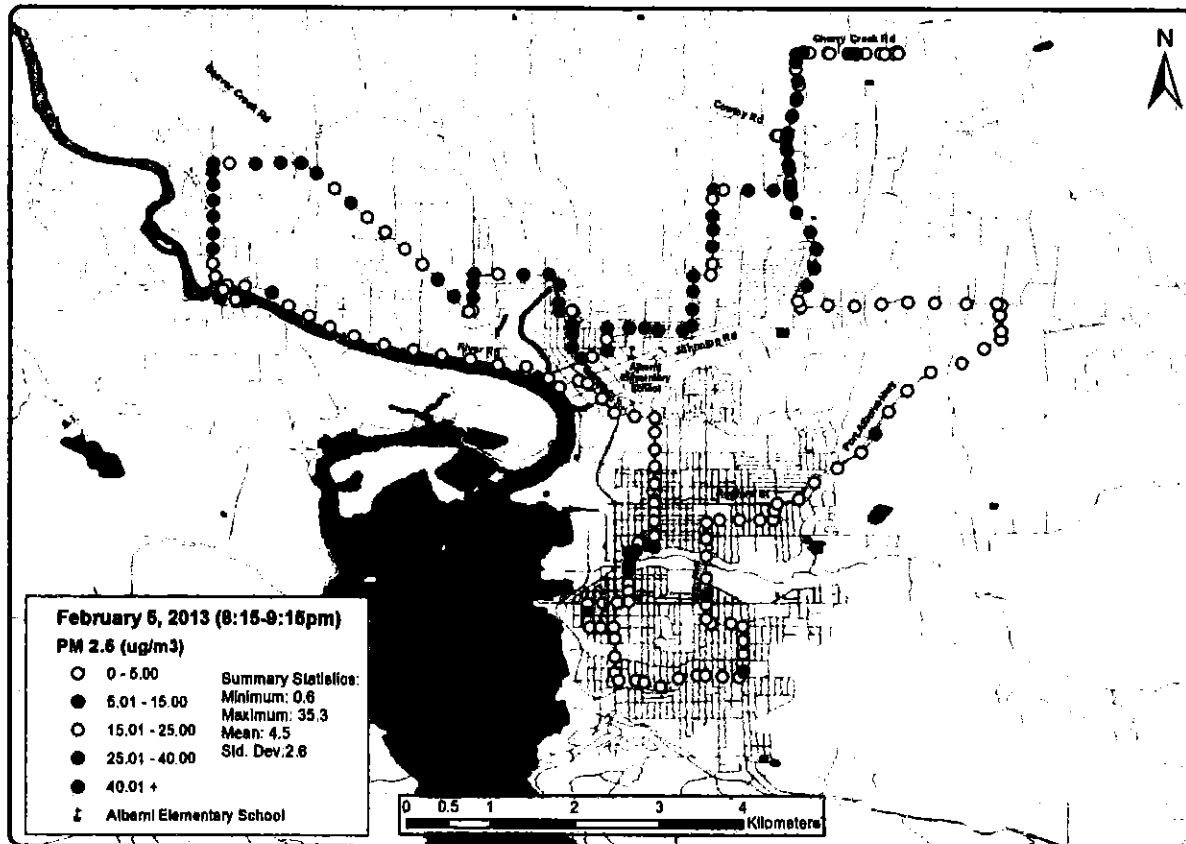


Figure 56: Mobile Nephelometer results for Tuesday, Feb. 5, 2013. From 8-10 PM, the Alberni Elementary station recorded average hourly $PM_{2.5}$ at $1-2 \mu\text{g}/\text{m}^3$, temperature at $\sim 6^\circ\text{C}$, and wind at $\sim 1.5 \text{ m/s}$ from the NW. $PM_{2.5}$ concentrations were low across the city.

Fine Particulate Matter Concentrations in Port Alberni, BC

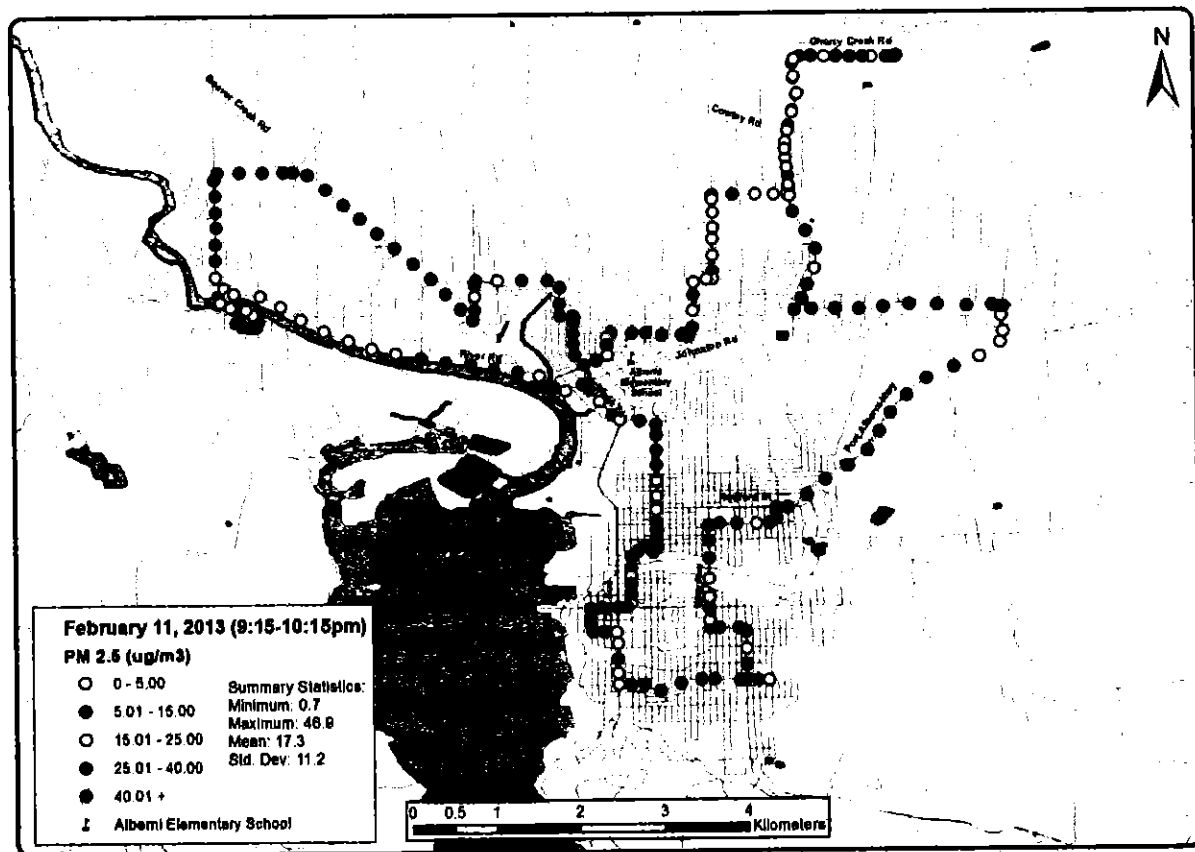


Figure 57: Mobile Nephelometer results for Monday, Feb. 11, 2013. From 9-11 PM, the Alberni Elementary station recorded average hourly $PM_{2.5}$ at $22-34 \mu\text{g}/\text{m}^3$, temperature at $\sim 6^\circ\text{C}$, and wind at $\sim 0.5 \text{ m/s}$ from the NW. Higher $PM_{2.5}$ concentrations were observed near and to the West of Alberni Elementary.

Fine Particulate Matter Concentrations in Port Alberni, BC

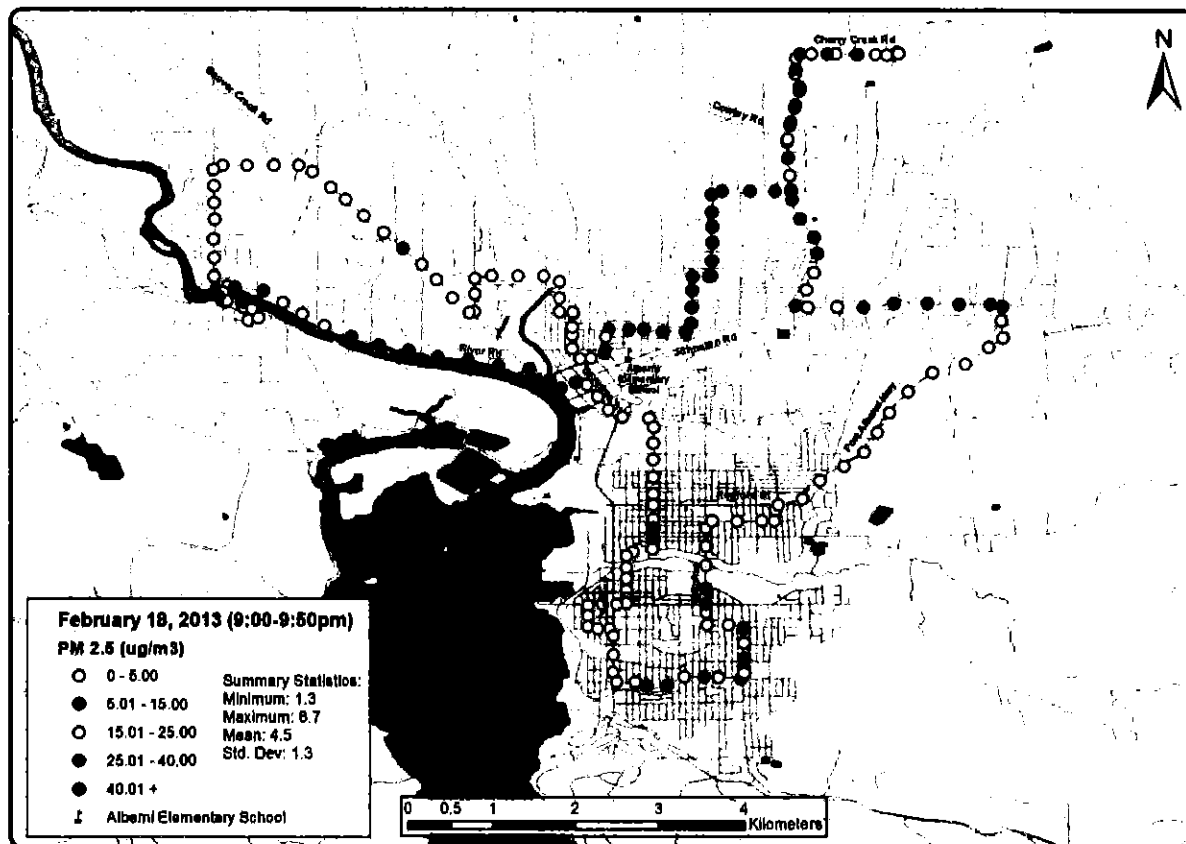


Figure 58: Mobile Nephelometer results for Monday, Feb. 18, 2013. From 9-10 PM, the Alberni Elementary station recorded PM_{2.5} hourly averages of 5-8 µg/m³, temperature at 2-3 °C, and wind at 1-2 m/s from the NW. Warmer temperatures and stronger winds in the evening likely contributed to improved air quality during the evening of February 18, 2014.

Fine Particulate Matter Concentrations in Port Alberni, BC

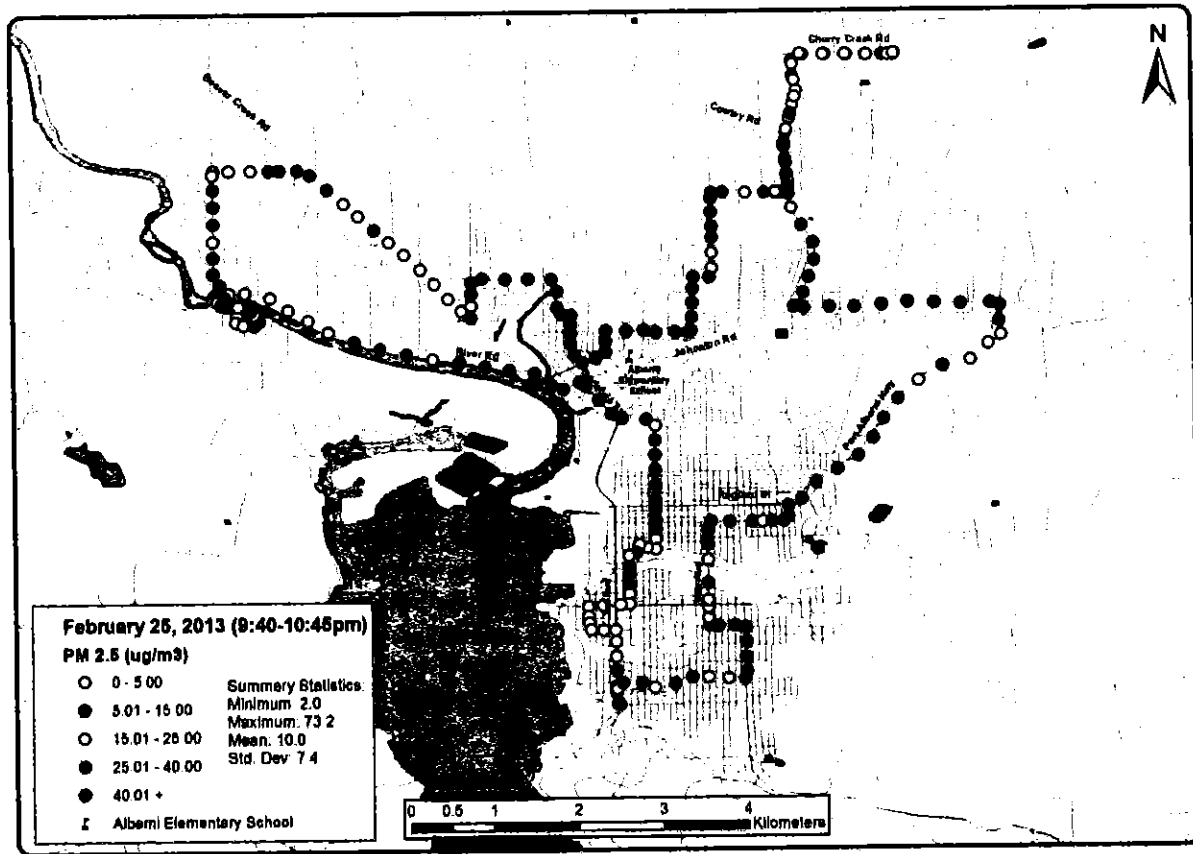


Figure 59: Mobile Nephelometer results for Monday, Feb. 25, 2013. From 9-11 PM, the Alberni Elementary station recorded average hourly PM_{2.5} of 12-15 µg/m³, temperature at 1-4 °C, and wind at ~1.5 m/s from the NE. Despite similar conditions to Feb. 18th, PM_{2.5} concentrations were elevated in small pockets throughout the area. Highest values were measured to the west of the city and in Cherry Creek.

Route

- 1 Start at 6865 Cherry Creek Rd.
- 2 Take Cherry Creek Road West and then South
- 3 Turn right onto Moore Rd.
- 4 Turn left onto Strathcona St.
- 5 Turn right onto Compton Rd.
- 6 Turn left onto Ian Ave.
- 7 Turn right onto Lathom Rd.
- 8 Turn left onto Helen St.
- 9 Turn right onto Burke Rd.
- 10 Turn right onto Elizabeth St.
- 11 Turn left onto Glenside Rd.
- 12 Turn right onto Gertrude St.
- 13 Turn left at Compton Rd.

- 14 Turn left onto Indian Ave.
- 15 Turn right onto Beaver Creek Rd. Travel for about 2 km.
- 16 Turn left onto Malabar Rd.
- 17 Turn left onto Falls St.
- 18 Turn right (over the bridge) onto Pacific Rim Highway
- 19 Turn right onto Mission Rd.
- 20 Turn slightly right onto Somass Crescent E.
- 21 Turn right onto Thomas Rd.
- 22 Turn right onto Ekooth Rd.
- 23 Turn left onto Gallic Rd.
- 24 Turn left onto Mission Rd.
- 25 Turn right onto Pacific Rim Highway (over the bridge)
- 26 Turn right (East) onto River Rd. Travel for about 3 km.
- 27 Turn left onto Johnston Rd.
- 28 Turn right onto Gertrude St.
- 29 Turn slightly left onto Roger St.
- 30 Turn right onto 6th Ave.
- 31 Turn right onto N. Park Dr.
- 32 Turn left onto The Quadrant (West)
- 33 Turn left onto The Quadrant (South)
- 34 Turn right onto Napier St.
- 35 Turn left onto 4th Ave.
- 36 Turn right onto Argyle St.
- 37 Turn left onto 1st Ave.
- 38 Turn left onto Mar St.
- 39 Turn right onto 3rd Ave.
- 40 Turn left onto Bruce St. (East)
- 41 Turn left onto Anderson Ave.
- 42 Turn left onto China Creek Rd.
- 43 Turn right onto 10th Ave.
- 44 Turn right onto Bute St. (East)
- 45 Turn left onto 16th Ave.
- 46 Turn right at Redford St. (turns into Port Alberni Highway). Follow for about 2.5 km.
- 47 Turn left at Maebelle Rd.
- 48 Turn left onto Alberni Highway (West)
- 49 Turn right onto Cherry Creek Road. Travel for about 1.5 km.
- 50 Follow Cherry Creek Road North and then East until reaching the starting point at 6865 Cherry Creek Rd.

Appendix B **How to Read a Boxplot**

In a box-plot, all the hourly average data or daily average data are separated into groups (e.g. annual, monthly, weekly, daily, etc.). All the measurements for a particular group are then plotted as a box with whiskers. The line in the centre of each box is the median (half the values are larger and half smaller than this value). This is not the same as the average or mean value of the group; in air quality statistics the median is usually slightly larger than the mean. The top of the box is the 75th percentile (three-quarters of the values are lower than this value and one quarter are larger). Similarly the bottom of the box is the 25th percentile (one-quarter of the points are lower and three-quarter larger). The top of the upper whiskers represents the highest value that is less than the value of the top of the box plus 1.5 times the difference in values of the top and bottom of the box. Similarly the end of the lower whisker is the largest value greater than the value of the bottom of the box minus 1.5 times the difference between the top and bottom of the box. All the data values that are larger or smaller than the ends of the whiskers are shown as individual points. In simple terms, half of the values fall within the box, all the values beyond the ends of whiskers can be considered the extreme values or outliers. In air quality statistics, it is often these outlying values that are responsible for degraded air quality. Boxplots can help supply information that may be useful to identify possible sources and develop mitigation plans.

PLAY LAND IS AWESOME

Metro Vancouver aims to address stench coming from cannabis greenhouses

Delta Optimist

By **Sandor Gyarmati** - April 9, 2019



Cannabis in greenhouse/Shutterstock

Metro Vancouver will try to deal with odours coming from marijuana greenhouses in Delta and throughout the region.

The district's climate action committee last week approved a series of recommendations to regulate emissions from cannabis production facilities, including greenhouses within the Agricultural Land Reserve, recommendations that will now go to the Metro Vancouver board.

"When the provincial government amended the ALR Act, they stated that cannabis production can't be prohibited on those existing structures. Yet, at the same time, you have all these vegetable producers switching over to cannabis but these facilities weren't designed to treat those contaminants in the first place," said Delta Coun. Dylan Kruger, a member of the committee.

Kruger said Health Canada has the authority when it comes to licensing requirements, which includes facilities needing equipment that filters air to prevent odours and contaminants from escaping, but stops short of outlining specific measures.

"Delta staff feel that Health Canada still has the ultimate authority when it comes to regulation and the licensing stage but what we found, and they basically admitted as much to us when we went to Ottawa, was that they're really more preoccupied right now with the quality of the product and security concerns.

"They're aware of the complaints coming forward on odours but they simply don't have the capacity to deal with that right now. So, Metro has the delegated authority from the province with regard to addressing odours but also the contaminants that come out of these facilities which produce what's called volatile organic compounds," explained Kruger.

The committee recommends a consultation process with the industry and key stakeholders. Metro has already requested that all new cannabis facilities apply for site specific permits, much the same as what the Enviro-Smart organics facility has been asked, added Kruger.

He said facilities under 50,000 square metres would not have to go through a permitting process but those over that number would have to apply. Large facilities in Delta, including Canopy Growth and Village Farms, have already been asked to go through the permitting process.

"We don't want Health Canada to think since Metro is dealing with the permits that they have an out when it comes to regulating odours from a licensing perspective, so I added an amendment that the committee write to Health Canada asking they actively enforce their own regulations," he said.

A Metro report on the issue last summer noted that from an air quality perspective, efforts to manage emissions from agricultural operations have been complicated by Right to Farm legislation, where normal farm practices are protected and a farmer is not liable for certain nuisances.

The report also noted concerns over odour masking agents that are being used by some facilities.

Kruger noted masking agents "can be like coming out of a gym, sweating, and only spraying on some cologne."

Sandor Gyarmati

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Cannabis

CANNABIS »

Metro Vancouver staff link cannabis operations to noise, light, odours, emissions, and even smog

by Charlie Smith on July 26th, 2018 at 6:03 PM

2



Odour-masking agents used in some facilities have also attracted the attention of regional bureaucrats.

SEASTOCK/ISTOCK/GETTY IMAGES PLUS

More concerns are being expressed by bureaucrats about the cannabis industry.

A report going to the Metro Vancouver board on Friday (July 27) reveals that staff have initiated discussions with provincial and federal agencies about cannabis.

There are also talks with Metro Vancouver's counterparts in the State of Washington.

One of the biggest issues is the smell emanating from this industry.

"In addition to odour and other air contaminants, there are also concerns about noise and light," the report states.

"There is a concern about increased emissions of nitrogen oxides from boilers, and volatile organic compounds (specifically, terpene emissions); together these emissions can react in the atmosphere and lead to secondary formation of ground-level ozone [smog] in the airshed," it adds.

Smog has long been a major issue for Metro Vancouver.

"Concerns have also been expressed about the odour masking agents that are being used by some facilities," the report continues. "Agencies in Washington State have advised that best practices for cannabis cultivation facilities include full enclosures, with greenhouse operations kept under negative pressure, such that emissions can be captured and directed to suitable control technologies, such as activated carbon filters or bio-filters."

Earlier this month, the B.C. government authorized local governments and municipalities to ban cannabis production on farmland under certain conditions.

For example, this can occur if there are "cement-based, industrial-style, cannabis-production bunkers" on property within the Agricultural Land Reserve.

However, lawfully produced cannabis cannot be made illegal by First Nations and local governments if it's grown in an open field or in a structure that has a soil base in an existing licensed operation.

Regional government regulates the airshed

Under the Environmental Management Act, Metro Vancouver has authority to regulate air quality within its boundaries.

According to the Metro Vancouver staff report, there's been "an increased number of odour complaints related to cannabis cultivation facilities".

Metro Vancouver has previously argued that cannabis production is better suited on industrial-zoned land rather than on agricultural land.

"Historically, from an air quality perspective, efforts to manage emissions from agricultural operations have been complicated by Right to Farm legislation, where normal farm practices are protected and a farmer is not liable in nuisance to any person for any odour, noise, dust or other disturbance resulting from the farm operation," the report states.

The report does not carry any recommendations. Nor does it mention any positive aspects related to the cannabis industry, such as the plant's potential benefits in reducing opiate deaths and alleviating medical conditions.

The report acknowledges that Metro Vancouver has an "explicit policy direction to emphasize and promote food production on agricultural land in the region".

"However, there is no direction to prohibit or advocate to prohibit or advocate for the relocation of non-food producing agriculture to industrial lands," it adds. "That said, there is a long standing dialogue about the appropriate location for these types of agri-industrial uses, and as

the attached staff report notes, this issue will be addressed in part through the development of the Regional Industrial Lands Strategy."

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Cannabis

CANNABIS »

Odorous emissions from pot operations sought for air regulation by Metro Vancouver

by Carlito Pablo on March 13th, 2019 at 10:49 AM

1



Weed production and processing emit “air contaminants”, says a Metro Vancouver discussion paper.

GETTY IMAGES/ISTOCK

Do you know where the strong odour of pot comes from?

It's from the volatile organic compounds or VOC released by the plant, explains a discussion paper prepared by staff of the Metro Vancouver Regional District.

The paper was written as part of a proposed move to regulate air emissions from weed operations, mainly cultivation and processing.

Going back to pot, a single plant gives off 57 grams of VOC per kilogram mass each year, according to the paper.

That's about 50 times greater than what a tomato plant produces at 1.5 grams.

It's also five times more than the excretion of a Douglas Fir used as Christmas trees at 11 grams.

Julie Saxton is an air quality planner with Metro Vancouver, and she is asking the regional district government's approval for staff to hold public consultations on the regulation of air

emissions from pot operations.

“The VOC emissions from cannabis production can be odorous,” Saxton wrote in her report. “Metro Vancouver and member municipalities have received complaints about odorous emissions from cannabis production.”

Saxton’s report is included in the agenda Friday (March 15) of Metro Vancouver’s climate action committee.

According to the air quality planner, many weed production facilities are “operating in greenhouses formerly used for the production of food crops, which do not have adequate controls designed for emissions from cannabis production and processing”.

“The proposed regulation seeks to authorize controlled emissions from operations conducting indoor cultivation, outdoor cultivation, cultivation by several individuals in cooperatives, cannabis processing operations such as drying and harvesting of cannabis plant material, extraction of oils, and manufacturing of derived products,” Saxton wrote.

She added that the “priority is on controlling discharges during periods of high VOC emissions from cannabis production and processing, which occur during plant flowering, harvesting, drying and curing, and potentially during packaging or handling of products”.

Metro Vancouver is responsible for managing and regulating air quality in the Lower Mainland.

According to the discussion paper, the proposed regulation could require a “comprehensive odour and VOC emission management plan” that will be “certified by an appropriately qualified professional”, and approved by Metro Vancouver.

The plan would be required to include, among others, an “odour mitigation system”.

Saxton wrote in the report that the public consultation can be held between April and May this year.

Follow Carlito Pablo on Twitter @carlitopablo

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STRAIGHT NEWSLETTER

To: Climate Action Committee

From: Julie Saxton, Air Quality Planner, Planning and Environment Department

Date: February 27, 2019 Meeting Date: March 15, 2019

Subject: Consultation on a Cannabis Production Emission Regulation for Metro Vancouver

RECOMMENDATION

That the MVRD Board:

- a) Receive for information the report titled "Consultation on a Cannabis Production Emission Regulation for Metro Vancouver", dated February 27, 2019; and
 - b) Direct staff to proceed with consultation on the proposed approach to regulating air emissions from cannabis production, based on the bylaw development discussion paper attached to the report titled "Consultation on a Cannabis Production Emission Regulation for Metro Vancouver", dated February 27, 2019.
-

PURPOSE

To seek MVRD Board approval for staff to proceed with consultation on proposals to regulate air emissions from cannabis production and processing operations.

BACKGROUND

In July 2018, the MVRD Board endorsed the *Odour Management Policy Development Plan* to enhance the management of emissions of odorous air contaminants. With the legalization of recreational cannabis use in October 2018, and concerns about the rapid expansion of commercial cannabis production in the Metro Vancouver region, cannabis production operations were identified in the policy development plan as a sector for which developing a new emission regulation may be appropriate in order to control emissions of air contaminants.

The development of new mechanisms to manage emissions from cannabis production is described as a key action in the Climate Action Committee's 2019 work plan. This report brings forward a bylaw development discussion paper and seeks Board approval to initiate consultation with stakeholders.

POTENTIAL IMPACTS OF CANNABIS PRODUCTION IN METRO VANCOUVER

Metro Vancouver's 2011 *Integrated Air Quality and Greenhouse Gas Management Plan* commits to protecting public health, to be achieved in part by reducing levels of ground-level ozone and fine particulate matter. Emissions from cannabis production include volatile organic compounds (VOC) that have the potential to contribute to the formation of ground-level ozone and fine particulate matter. The *Regional Ground-level Ozone Strategy for the Canadian Lower Fraser Valley*, adopted by the Board in 2014, identifies reduction of VOC, particularly in the western part of the Lower Fraser Valley, as a strategic direction to guide the reduction of ground-level ozone.

The VOC emissions from cannabis production can be odorous. Metro Vancouver and member municipalities have received complaints about odorous emissions from cannabis production.

Many new cannabis production facilities in the region are operating in greenhouses formerly used for the production of food crops, which do not have adequate controls designed for emissions from cannabis production and processing. In addition, the boilers and engines used to provide heat and to meet energy demands for high intensity lamps, air conditioners, and dehumidifiers for the indoor production of cannabis can emit particulate matter, and nitrogen oxides, which are precursors to the formation of ground-level ozone.

Information from other jurisdictions where cannabis is being produced suggests that there may be impacts for other Metro Vancouver services as the sector grows, including solid waste management, water consumption and wastewater discharges. Staff are assessing these potential impacts outside the scope of the initiative described in this report, which addresses air emissions.

LEGISLATIVE FRAMEWORK FOR REGULATING EMISSIONS FROM CANNABIS PRODUCTION

Federal, provincial, regional, and municipal governments have a role in regulating cannabis production in the Metro Vancouver region, including on agricultural land.

The federal government has established the national framework for regulating the production of cannabis, which includes setting standards for health and safety, and for licensing facilities producing and testing cannabis. Regulations under the *Cannabis Act* allow cannabis production in enclosed indoor facilities, in greenhouses, and outdoors. The regulations state that “the building or part of the building where cannabis is produced, packaged, labelled, and stored must be equipped with a system that filters air to prevent the escape of odours”.

The *BC Cannabis Control and Licensing Act* includes limits on production for personal use. The provincial government amended the *BC Agricultural Land Reserve Use, Subdivision and Procedure Regulation* on ~~July 13, 2018~~ to clarify that lawful production of cannabis cannot be prohibited on the Agricultural Land Reserve (ALR) if cultivation takes place in an open field, a structure with a soil base, or an existing structure or structure under construction by July 13, 2018 for the purpose of growing crops. The *BC Farm Practices Protection (Right to Farm) Act* is intended to protect normal farm practices from nuisance complaints when conducted on land in the ALR and in other areas where farm use is allowed; however, to be protected, agricultural operations conducting normal farm practices must comply with the *BC Environmental Management Act* (EMA) and regulations under EMA, such as the *GVRD Air Quality Management Bylaw No. 1082, 2008*.

Under Section 31 of EMA, Metro Vancouver has delegated authority for air pollution control and air quality management within the Metro Vancouver region, including on industrial and agricultural land. The proposed regulatory approach for cannabis production, pursuant to that authority, is described in the next section.

PROPOSED REGULATORY APPROACH

Metro Vancouver utilizes two mechanisms to regulate emissions from sources within the region – site-specific permits that authorize emissions from individual facilities, and emission regulations that apply to groups of sources. Permits are required for activities and complex facilities with significant levels of emissions that may have the potential for high impacts on the environment and public

health. Emission regulations apply air emissions control requirements to a group of facilities or activities that share similar characteristics. One example of an emission regulation is the *GVRD Agricultural Boilers Emission Regulation Bylaw No. 1098, 2008*. Bylaw 1082 prohibits any person from discharging air contaminants so as to cause pollution.

Permits

~~Staff have been directing new cannabis production operations, including those on agricultural land, to apply for permits to authorize the controlled discharge of air contaminants.~~ Within Metro Vancouver's regulatory system, permits are generally used for complex facilities that may have higher potential for impacts on the environment or human health, or because of other unique circumstances. ~~Large facilities, such as large retrofitted greenhouses, may be more suited to having their discharge of air contaminants authorized under a site-specific permit to reduce the potential air quality impacts.~~ However, the use of site-specific permits for all cannabis production operations would be resource-intensive for applicants and Metro Vancouver. The purpose of introducing an emission regulation for cannabis production is to establish effective requirements that will protect the public and the environment, and be implemented in an efficient manner.

Emission Regulation

It is anticipated that the proposed regulation would require facilities to operate in compliance with best practices and use best available control technologies to limit emissions. Purpose-built facilities that have the ability to employ sophisticated air emission capture and treatment mechanisms are well suited for authorization under the proposed emission regulation. Retrofitted facilities that are able to capture and treat emissions could potentially be authorized under the proposed emission regulation, if the facility can demonstrate that the potential impacts will be reduced through effective management of air contaminants. Smaller facilities are expected to handle fewer plants and produce fewer emissions. To date, ~~cannabis production facilities operating on industrial land have been smaller than most facilities on agricultural land.~~

The proposed regulation seeks to authorize controlled emissions from operations conducting indoor cultivation, outdoor cultivation, cultivation by several individuals in cooperatives, cannabis processing operations such as drying and harvesting of cannabis plant material, extraction of oils, and manufacturing of derived products. The priority is on controlling discharges during periods of high VOC emissions from cannabis production and processing, which occur during plant flowering, harvesting, drying and curing, and potentially during packaging or handling of products.

Key features of the proposed regulation include:

- Requiring the enclosure within structures of: all cannabis processing activities; and cannabis waste management activities, including composting.
- Equipping those structures with rapidly closing doors or a double door system that provides a barrier to the escape of air contaminants from inside the structure.
- Requiring the collection and routing of facility air through activated carbon filters for VOC emission control on all structures used for cultivation, processing, or waste management of cannabis, such that recognizable odorous air contaminants associated with the VOC emissions from facility activities cannot be detected beyond the property boundary.

- Requiring temporary containment, collection, and treatment of VOC emissions from outdoor cultivation during periods of peak VOC production generally coinciding with flowering.
- Submission of a comprehensive air emissions management plan certified by a qualified professional to control odorous air contaminants and other emissions.
- Avoiding the outdoor use of odour masking agents and odour neutralizing agents.
- Avoiding the uncontrolled release of emissions or the bypassing of emission controls, unless authorized by the District Director.
- Avoiding the release of emissions that bypass emission controls when an air quality advisory is in effect anywhere within the Metro Vancouver and Fraser Valley Regional Districts.
- Restricting emissions to be discharged no closer than 200 metres to land zoned for residential use, hospitals, schools, daycares, playgrounds, and senior care facilities.
- Possibly limiting the size of facilities that can be authorized under the proposed regulation to an operational area of less than 50,000 m² or a cannabis production or processing capacity of less than 50,000 kg per year.

It is anticipated that other sources of air contaminants from cannabis production and processing operations, such as equipment used for heating and energy production, will continue to be authorized through existing emission regulations, such as *GVRD Agricultural Boilers Emission Regulation Bylaw No. 1098, 2008* and *GVRD Boilers and Process Heaters Emission Regulation Bylaw No. 1087, 2008*, or through a permit for large equipment.

CONSULTATION PROCESS AND TIMELINES

Staff would lead a targeted consultation on the proposed emission regulation between April and May 2019. The objective of the consultation is to inform stakeholders and the public of the proposed requirements to be included in an emission regulation and to obtain feedback, as outlined in the Discussion Paper (Attachment 1).

The consultation process would be conducted in accordance with the Board Policy on Public Engagement and would include targeted engagement methods to ensure that information about the proposed regulation reaches key audiences. Proposed methods include:

- Meetings with licensed cannabis producers and processors operating in the Metro Vancouver region;
- Meetings with government staff from member jurisdictions and senior orders of government;
- Presentations to representatives of potential future businesses operating in the cannabis production and processing sectors;
- An informational webinar and presentations to relevant professional and industry associations;
- Webinar events to gather detailed feedback on the potential regulation from the public; and
- A survey of the potentially affected public will be conducted if the preliminary feedback received through meetings and online feedback forms reveals polarized perspectives.

Information would be made available online and in hard copy. A website would be created for this regulatory initiative, and pamphlets would be distributed to member jurisdictions for information

and display in public areas. Outreach materials could feature an infographic showing Health Canada's licence classes and Metro Vancouver's proposed requirements (Attachment 2).

ALTERNATIVES

1. That the MVRD Board:
 - a) Receive for information the report titled "Consultation on a Cannabis Production Emission Regulation for Metro Vancouver", dated February 27, 2019; and
 - b) Direct staff to proceed with consultation on the proposed approach to regulating air emissions from cannabis production, based on the bylaw development discussion paper attached to the report titled "Consultation on a Cannabis Production Emission Regulation for Metro Vancouver", dated February 27, 2019.
2. That the MVRD Board receive for information the report titled "Consultation on a Cannabis Production Emission Regulation for Metro Vancouver", dated February 27, 2019 and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

Under Alternative 1, staff will proceed with consultation on a potential bylaw to regulate emissions from cannabis production and processing. The resources needed, including staff time and other costs associated with the consultation program and subsequent development of a proposed regulation, have been approved within program budgets for 2019.

Under Alternative 2, the Committee and Board may wish to provide alternate direction to staff on how to address emissions from cannabis production. As noted earlier, in the absence of an emission regulation, more facilities would need to be authorized under site-specific permits, which would be more resource-intensive.

SUMMARY / CONCLUSION

The legalization of recreational cannabis use in October 2018 has spurred the growth of this sector in the Metro Vancouver region. Both Metro Vancouver and member municipalities have received complaints about odorous emissions from cannabis production operations. The uncontrolled discharge of odorous air contaminants and precursors of ground-level ozone and fine particulate matter from facilities producing and processing cannabis may have impacts on air quality. Regulating air emissions from cannabis production and cannabis processing operations provides a mechanism to protect public health and the environment.

Staff recommend Alternative 1, to proceed with consultation on the proposed approach to regulating air emissions from cannabis production as described in the attached discussion paper titled, "A Proposed Emission Regulation for Cannabis Production and Processing Operations." Consultation with the public, businesses, member jurisdictions, senior orders of government and other stakeholders is intended to provide any person who may be affected by a potential emission regulation with sufficient opportunity to learn about the proposals and provide feedback.

Attachments (Doc #28848205)

1. Discussion Paper: "A Proposed Emission Regulation for Cannabis Production and Processing Operations in Metro Vancouver".
2. Infographic: Health Canada's Cannabis Production Licence Classes and Air Quality Requirements for Cannabis Production in the Metro Vancouver Region.

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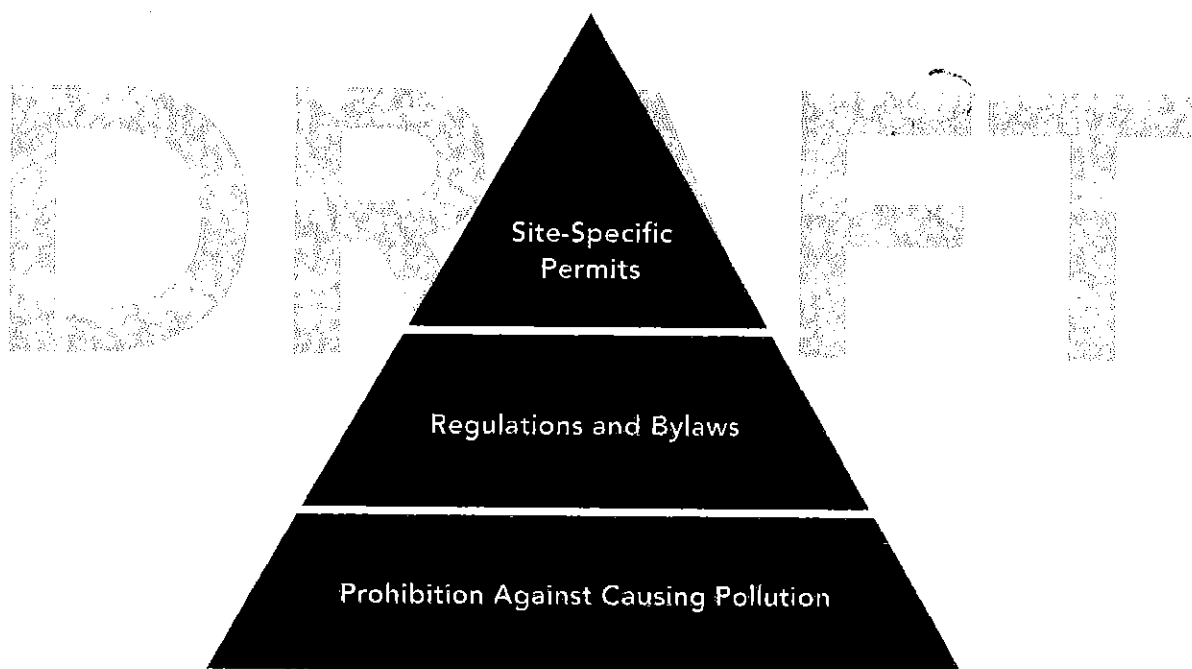
Proposed
**Composting Products
and Processing Operations**
in Metro Vancouver

INTRODUCTION

Metro Vancouver Regional District (MVRD, operating as Metro Vancouver) is responsible for managing and regulating air quality in the region under authority delegated from the provincial government in the *BC Environmental Management Act*. Metro Vancouver protects public health and the environment through a tiered approach to managing the discharge of air contaminants that applies the use of site-specific permits, sectoral emission regulations, and provisions in the *Greater Vancouver Regional District (GVRD) Air*

Quality Management Bylaw No. 1082, 2008 (Bylaw 1082). Permits are required for activities and complex facilities with significant levels of emissions that may have the potential for high impacts on the environment and public health. Regulations apply air emissions control requirements to a group of facilities or activities that share similar characteristics. Bylaw 1082 prohibits any person from discharging air contaminants so as to cause pollution.

TIERED APPROACH TO REGULATING AIR CONTAMINANTS IN METRO VANCOUVER.

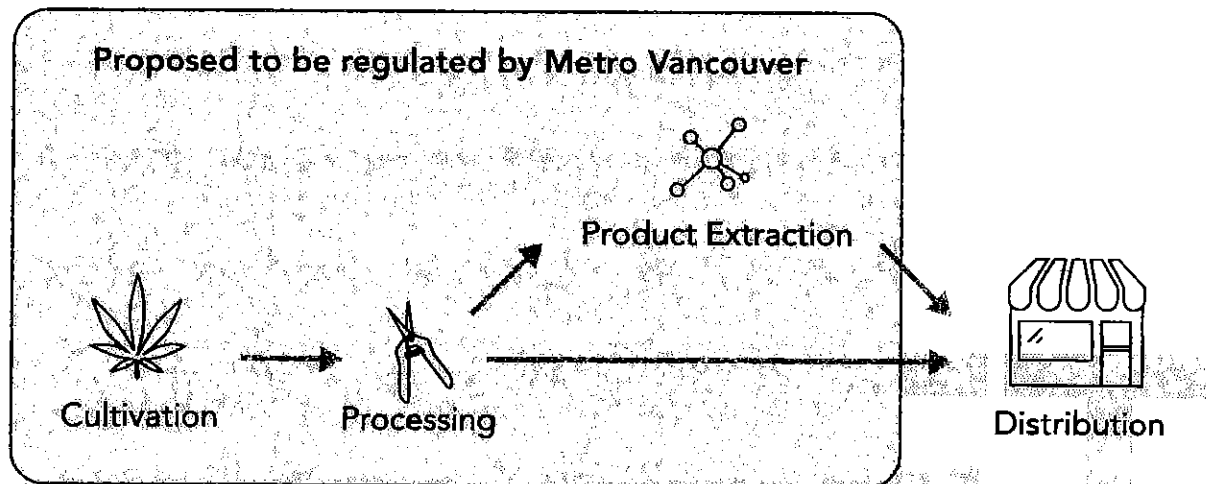


The following sections outline regulatory proposals to control air emissions from cannabis production and processing operations.

PURPOSE

This discussion paper provides information about the potential environmental impacts from cannabis production and processing operations and summarises potential regulatory proposals to reduce air emissions from the cultivation, harvesting, and processing of cannabis plants. Facilities that would be subject to the proposed regulation include operations conducting indoor cultivation, outdoor cultivation,

cultivation by several individuals in cooperatives, and cannabis processing operations such as drying and harvesting of cannabis plant material. Facilities carrying out the extraction of oils from cannabis and manufacturing derived products are also proposed to be addressed within the regulation.



This discussion paper may be of interest to:

- Businesses that produce and process cannabis in Metro Vancouver indoors or outdoors, as well as associations representing these parties;
- Consultants, manufacturers, and suppliers that provide services such as air emission control;
- Businesses involved in the design and construction of cannabis production or processing operations;
- Persons holding a Health Canada licence to produce or process cannabis in the Metro Vancouver region;
- Metro Vancouver's member jurisdictions;
- Public health experts;

- Members of the public affected by emissions from cannabis production and processing operations; and
- Other interested parties affected by potential regulatory proposals related to cannabis production and processing operations or by air quality in the Metro Vancouver region.

A consultation program will allow Metro Vancouver to inform interested parties and the public of the proposals for regulating emissions from facilities that produce and process cannabis described in this discussion paper, and to receive feedback. Representatives of interested parties and the public will be invited to provide feedback in person and online between April and May 2019.

DEFINING THE PROBLEM

The legalization of recreational use of cannabis in October 2018 has led to the rapid expansion of commercial cannabis production in the Metro Vancouver region and caused concerns about the potential resulting impacts to the environment and public health. In the Metro Vancouver region, a number of greenhouses formerly used for vegetable production have been retrofitted for cannabis production, yet were not designed or constructed to collect and treat air contaminants. Metro Vancouver as well as member municipalities have received complaints about odorous emissions from cannabis production operations.

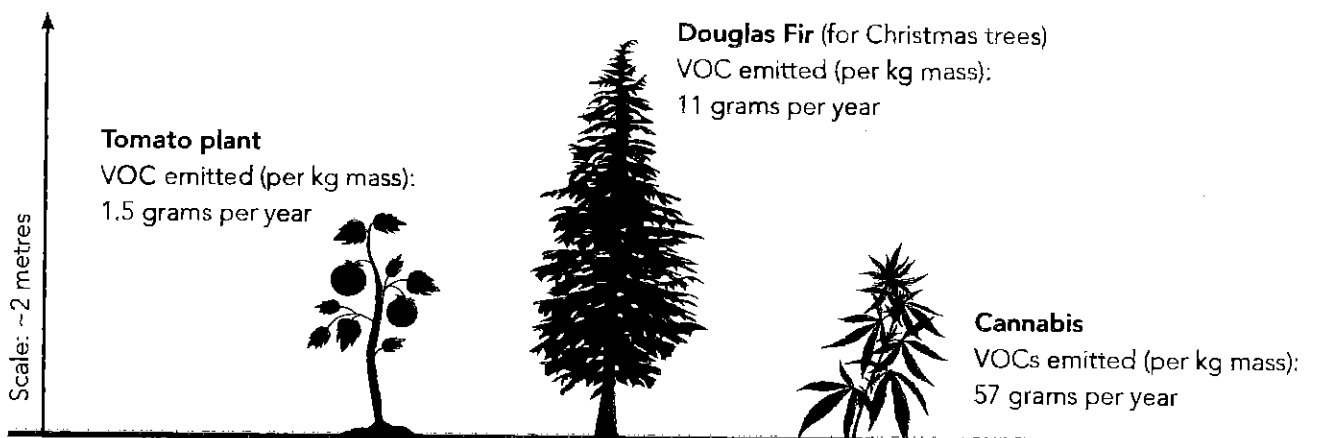
Information from other jurisdictions in which cannabis is produced suggests that potential environmental impacts related to air quality, solid waste management, water consumption, and wastewater discharges could occur. While these impacts will be addressed as part of Metro Vancouver's broader efforts related to this sector, this discussion paper focuses on regulatory proposals for managing air emissions from cannabis production.

Cannabis production has the potential to cause negative air quality impacts if emissions are not adequately controlled.

- Odorous air contaminants emitted during cannabis production and processing are volatile organic compounds (VOC) that may contribute to the formation of harmful ground-level ozone and fine particulate matter through reactions with other substances and sunlight in the lower atmosphere. Emissions most notably occur during the flowering and harvesting phases, during which high levels of a group of VOC called terpenes can be produced. Terpenes are known for their strong odour and involvement in the production of secondary air contaminants.
- Odour masking agents introduce an alternative fragrance to reduce the ability of the human nose to detect odorous air contaminants. They contain VOC and may also create particulate matter.
- The power production equipment needed to meet the requirements for heating, lighting and suitable growing environment for the indoor production of cannabis generates emissions of nitrogen oxides and may emit particulate matter, depending on the fuel.

A number of technologies are available to control VOC in general (see text box on page 5), but these may not all be suitable for cannabis production operations in the Metro Vancouver region.

EXAMPLE VOC EMISSIONS FOR SOME OF THE PLANTS GROWN COMMERCIALY IN THE METRO VANCOUVER REGION



AVAILABLE CONTROL TECHNOLOGIES

Carbon Filters

Activated carbon filters are widely used to control VOC and reduce odours. Carbon filters can be effective and reliable when properly maintained and replaced at appropriate intervals. These filters have relatively large surface areas that adsorb and remove VOC.

Biofilters

A biofilter is a filtration system that employs biological activity to remove odorous contaminants from an air stream. The microorganisms responsible for removing the odorous air contaminants may include bacteria and fungi.

Odour neutralizers

Plant-based odour neutralizers use natural plant oils that interact with and alter VOC emitted by cannabis so they are no longer odorous. VOC reduction can vary from 20% to 90% depending on product and contact time. Odour neutralizers may also contain odour-masking agents.

Thermal oxidation

A thermal oxidizer applies high levels of heat to decompose VOC to waste products that are without odour, typically carbon dioxide and water.

Ozone generators

These generators are used for disinfection and sometimes used in industrial settings to control strong odours. Ozone generators are potentially harmful to crops and human health because they produce ozone by design.

GUIDING PRINCIPLES

A regulation to address emissions from cannabis production operations in Metro Vancouver would aim to:

- Emphasize prevention and control of emissions through best management practices and continuous improvement;
- Minimize emissions of volatile organic compounds which can contribute to the formation of ground-level ozone and fine particulate matter, and lead to odour impacts;
- Address concerns expressed by members of the public about impacts from emissions of cannabis production operations; and
- Align with the goals and strategies of management plans adopted by Metro Vancouver including:
 - the Integrated Air Quality and Greenhouse Gas Management Plan,
 - the Regional Ground-Level Ozone Strategy, and
 - the Odour Management Policy Development Plan.

Metro Vancouver is enhancing its odour management framework, which relies on five broad approaches that can be applied, either alone or in combination, through bylaws and permits to reduce impacts from emissions of odorous air contaminants. These approaches could be applied to a potential regulation for managing emissions from cannabis production and processing operations:

- Setting criteria for levels of odorous air contaminants outside the boundary of the facility;
- Setting criteria for levels of odorous air contaminants emitted at the facility;
- Requirements related to technology and facility management practices;
- Economic instruments to encourage reductions in emissions; and
- Clearly defined terms related to odour management.

WORKING WITHIN THE LEGISLATION

With the adoption of Bill C-45 (the *Cannabis Act*), recreational marijuana became legal in Canada on October 17, 2018. Federal, provincial and local governments, including Metro Vancouver and its member jurisdictions, have roles in the regulation of legal cannabis production and processing.

The federal government is responsible for establishing and maintaining the national framework for regulating the production of cannabis, which includes setting standards for health and safety, and for licensing production and processing facilities. Regulations under the *Cannabis Act* allow cannabis production in enclosed indoor facilities, in greenhouses, and outdoors, provided that security requirements can be met. The new regulations brought into force in 2018 state that if produced in a building, "the building must be equipped with a system that filters air to prevent the escape of odours". All processing activities must be conducted indoors.

Provinces and territories are responsible for determining how cannabis is distributed and sold within their jurisdictions, and can restrict consumption and possession. The *BC Cannabis Control and Licensing Act* describes requirements and restrictions developed to support public safety, including limits on production for personal use. In addition, the provincial government amended the *BC Agricultural Land Reserve Use, Subdivision and Procedure Regulation* on July 13, 2018. The amendment clarified that the lawful production of cannabis cannot be prohibited on the Agricultural Land Reserve (ALR) if cultivation takes place in an open field, a structure with a soil base, or an existing structure or structure under construction by July 13, 2018 for the purpose of growing crops.

Under Section 31 of the *BC Environmental Management Act* (EMA), Metro Vancouver has delegated authority for air pollution control and air quality management within the Metro Vancouver region, including industrial and agricultural land. EMA states that the Metro Vancouver Board "may, by bylaw, prohibit, regulate and otherwise control and prevent the discharge of air contaminants". Under *GVRD Air Quality Management Bylaw No. 1082, 2008* (Bylaw 1082), Metro Vancouver exercises its air quality regulatory authority with a system of permits that apply to individual facilities, and emission regulations that apply to types of operations and activities with similar characteristics. For example, Metro Vancouver regulates air emissions from agricultural sources within the region through permits and regulations such as the *GVRD Agricultural Boilers Emission Regulation Bylaw No. 1098, 2008*.

Bylaw 1082 prohibits the discharge of air contaminants by an industry, trade or business unless the discharge is conducted in accordance with a Metro Vancouver emission regulation or permit. The release of air contaminants, including VOC and odorous air contaminants, has the potential to cause air pollution if present in a way that substantially alters or impairs the usefulness of the environment. Bylaw 1082 prohibits any person from discharging, or allowing or causing the discharge of any air contaminant so as to cause pollution. Metro Vancouver can set emission regulations for emissions of air contaminants in the region that are more stringent compared to other parts of the province.

Metro Vancouver's member jurisdictions are responsible for land-use zoning and business licensing, which can impose conditions on the location and conduct of cannabis production and processing to the extent allowed under provincial legislation such as the *Community Charter* and the *BC Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.

PROPOSED REGULATORY APPROACH

The objective of introducing an emission regulation for cannabis production and processing operations is to set requirements that will efficiently protect the public and enable the operation of environmentally responsible facilities. Facilities can choose to have their emissions authorized under an emission regulation, if they meet all the requirements, or under a permit.

Proposed Requirements to Control Emissions

It is anticipated that the proposed regulation would apply to facilities that can operate in compliance with best practices and use best available control technologies to control emissions.

Facilities suitable to be authorized under the emission regulation would:

- Enclose all cannabis processing in structures;
- Enclose all cannabis waste management activities, including composting, in structures when conducted on a property where cannabis is produced or processed;
- Equip structures with rapidly closing doors or a double door system that provides a barrier to the escape of air contaminants from inside the structure;
- Draw facility air through activated carbon filters for VOC emission control in all structures used for cultivation, processing, or waste management of cannabis;
- Use temporary containment, collection, and treatment of VOC emissions from outdoor cultivation using activated carbon filters during periods of peak VOC production generally coinciding with flowering;
- Use activated carbon filters alone or in combination with particulate filters, such as HEPA filters;
- Prevent the escape of insufficiently treated emissions and fugitive emissions from structures and from temporary containment of outdoor cultivation, so recognizable odorous air contaminants associated with the VOC emissions from facility activities cannot be detected beyond the property boundary;
- Submit a comprehensive air emission management plan certified by a qualified professional to control odorous air contaminants and other emissions;
- Avoid outdoor use of odour masking agents and odour neutralizing agents (odour masking agents would be allowed to be used in enclosed areas within a facility, such as in office spaces, provided there is no escape of untreated emissions to the environment);
- Avoid the uncontrolled release of emissions or the bypassing of emission controls, unless authorized by the District Director;
- Avoid the uncontrolled release of emissions or the bypassing of emission controls when an air quality advisory is in effect anywhere within the Metro Vancouver and Fraser Valley Regional Districts; and
- Be located more than 200 metres from land zoned for residential use, hospitals, schools, daycares, playgrounds, and senior care facilities.

Thresholds of applicability may be proposed in the emission regulation. For example, the regulation may apply to facilities with an operational area of less than 50,000 m² or a cannabis production or processing capacity of less than 50,000 kg per year. Larger facilities may be more suited to having their discharge of air contaminants authorized under a permit.

In addition to requirements under the proposed regulation to control emissions from cannabis production and processing, boilers and heaters used by a facility would need to comply with the applicable regulations. For facilities with a capacity of 50 MW or less, boilers can register under the *GVRD Agricultural Boilers Emission Regulation Bylaw No. 1098, 2008* for

facilities in the Agricultural Land Reserve, or under the *GVRD Boilers and Process Heaters Emission Regulation Bylaw No. 1087, 2008*, as amended, for facilities not in the Agricultural Land Reserve.

Metro Vancouver intends to regulate emissions from reciprocating engines through permits. Facilities using reciprocating engines as a power source, but that would otherwise meet the requirements of the proposed regulation, could choose to apply for a permit authorizing emissions from the entire facility or from the reciprocating engine only.

If the facility is not able to comply with all of the emission regulation requirements, or if the facility employs unique technologies in its emission controls that are not authorized in the regulation, the facility may seek authorization for air discharges through the Metro Vancouver permitting process.

Emission management plans

The proposed regulation could require that a comprehensive odour and VOC emission management plan, certified by an appropriately qualified professional, be submitted for each facility producing or processing cannabis and be approved by Metro Vancouver. The plan would be required to include the following elements as a minimum:

- A description of the odour mitigation system and engineering controls in place to prevent impacts from odorous air contaminants arising from activities associated with producing or processing cannabis;
- An operational processes and maintenance plan, including a description of how intervals between air filter changes will be determined and inspection activities that will be undertaken to ensure the odour mitigation system remains functional and capable of preventing the discharge of VOC to the environment;

- Documentation that emission controls, including filtration systems, are sufficient to effectively remove the VOC associated with cannabis production and processing activities;
- Monitoring conducted by the facility to verify that no recognizable odorous air contaminants can be detected beyond the boundary of the property; and
- Management of waste such that odorous air contaminants associated with the waste cannot be detected beyond the property boundary.

Metro Vancouver expects odour mitigation systems and odour and VOC emission management plans to be consistent with accepted best available technologies and applicable best management practices. Metro Vancouver will provide references to published information on best practices and technologies as the information becomes available.

Monitoring

Assessment of the presence of recognizable odorous air contaminants beyond the property boundary that can be attributed to the facility on the balance of probabilities could be conducted by an approved person through a standard procedure using the human nose or other instruments.

Record Keeping

The proposed bylaw would describe the records a facility would need to maintain to demonstrate compliance with the emission regulation. Records would include testing, inspection and maintenance procedures on equipment used for controlling and treating emissions, routine tests of filtration systems used for removing VOC, concentrations and amounts of VOC discharged from a facility, and events such as bypasses of control systems. The record keeping requirements would include details about the extent and frequency of emissions reporting.

EXAMPLES OF BEST PRACTICES

Full enclosure ensures that emissions can be captured and directed to suitable control technologies. Enclosed areas should be fitted with rapidly closing doors, or an air-lock system with double doors for entry and exit.

Odour control equipment should be sized and serviced according to the manufacturer's recommendations, and undergo cleaning and filter replacements as often as required.

Air circulation systems should be maintained in accordance with manufacturer recommendations.

Waste must be regularly transferred, stored, and disposed of in order to minimize the development of odours.

Administration of the Emission Regulation

Metro Vancouver's regulatory system includes a system of user fees which are intended to provide recovery of the costs of developing and administering permits and regulations, following a 'discharger pay' principle. The costs associated with administering the emission regulation are intended to be covered by registration and annual fees.

The proposed registration fee of \$2,000 would cover the cost of the registration process, the review of applications including odour and VOC emission management plans, and an initial inspection. The annual fee for facilities operating under the proposed regulation would be a composite comprising a fixed fee portion of \$250 and an additional variable air contaminant emissions fee portion calculated using the emission fee per tonne of VOC established in the *GVRD Air Quality Management Fees Regulation Bylaw No. 1083, 2008*, as amended. This variable fee portion could be determined using measured VOC emissions, estimated emissions, or a proxy for estimated emissions, based on the size of the operational area of the facility, the number of plants grown, or the amount of cannabis produced or processed.

The proposed regulation would also specify supplemental increases based on inflation that would occur on an annual or other fixed schedule to reflect increases in administration costs. The fees would come into effect upon implementation of the emission regulation.

Definitions would also be included in the emission regulation to ensure a common understanding of applicable terminology.

Providing Comments on the Potential Regulatory Initiative

Metro Vancouver is seeking input about proposals to regulate air emissions from cannabis production and processing from stakeholders representing different perspectives, and will consider all input in the development of a proposed emission regulation. The MVRD Board will receive a summary of the input received.

Metro Vancouver welcomes feedback with respect to the regulatory initiative outlined in this discussion paper. Metro Vancouver will carefully consider all feedback when considering potential proposals for managing emissions from cannabis production operations in the region.

Metro Vancouver staff and contractors will treat comments received with confidentiality; please note that comments you provide and information that identifies you as the source of those comments may be publicly available if a freedom of information (FOI) request is made under the *Freedom of Information and Protection of Privacy Act*. If you have any questions or comments regarding the consultation process, please call 604-432-6200.

Metro Vancouver invites you to provide feedback by May 31, 2019 to AQBylaw@metrovancover.org. Feedback will be considered until the MVRD Board adopts an emission regulation bylaw for managing emissions from cannabis production operations.

Thank you for taking the time to consider and provide input on potential regulatory proposals for cannabis production operations in Metro Vancouver.



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SERVICES AND SOLUTIONS FOR A LIVABLE REGION

Infographic: Cannabis Production Operations

Examples of Jurisdiction Roles and Responsibilities

Federal	Provincial/Territorial	Municipal	Metro Vancouver
Cannabis production Standards for health and safety Cannabis possession limits Trafficking Advertising Minimum age limits (18) Oversight of medical cannabis regime, including personal cultivation registration	Regulation for the protection of human health and the environment, for example, through the <i>BC Environmental Management Act</i> Discretion to set more restrictive limits for: • minimum age for consumption • possession amount • personal cultivation, including number of plants and where cannabis can be cultivated Wholesale and retail distribution of cannabis Selection of retail distribution model Workplace safety Regulations around public consumption	Zoning (density, location) Retail locations Home cultivation Business Licensing Building Codes Nuisance Smoking restrictions Nuisance odours Municipal workplace safety Enforcement of local government bylaws Municipal cost considerations related to local policing	Managing and regulating air contaminants in the Metro Vancouver region Regulating air emissions through emission permits or emission regulations Addressing air quality complaints Enforcement of Metro Vancouver bylaws, including air quality, solid waste, liquid waste

Adapted from the Federation of Canadian Municipalities *Municipal Guide to Cannabis Legalization*:
<https://fcm.ca/sites/default/files/documents/resources/guide/municipal-guide-cannabis-legalization.pdf>

Production and Processing Licenses

The regulations under the *Cannabis Act* require a Health Canada licence in order to grow cannabis for sale (on a large or small scale, or for starting materials, e.g., seeds and plants) and make cannabis products (on a large or small scale).

License Type	Restrictions	Notes
Standard Cultivation	No restrictions	Cultivation may be conducted indoors or outdoors
Micro-Cultivation	Surface area in which plants are contained cannot exceed 200 m ² (including any vertically stacked surfaces)	Cultivation may be conducted indoors or outdoors
Nursery	For seed production, total surface area of no more than 50 m ² must contain all the parts of budding or flowering plants, and maximum of 5 kg of flowering heads harvested from plants with the exception of seeds	Cultivation may be conducted indoors or outdoors
Standard Processing	No restrictions	All activities must be conducted indoors
Micro-processing	Maximum of 600 kg of dried cannabis in one calendar year <i>Note: If licence holder also holds a micro-cultivation licence for the same site and the cannabis comes exclusively from that site, this maximum quantity does not apply.</i>	

Adopted from the Health Canada *Cannabis Licensing Application Guide Appendix B: Cannabis licence classes and subclasses*:

<https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/industry-licensees-applicants/licensing-summary/guide.html#b>



**Office of the
Chief Medical
Health Officer**

September 10, 2018

Dear:

Mayor and Council – Municipal Governments,
Chair and Directors – Regional Districts
Chief and Council – First Nations

Re: A Public Health Approach to Non-Medical Cannabis

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Dried cannabis, cannabis oils and seeds will be legalized in Canada on October 17, 2018. Evidence suggests that the prohibition of cannabis has not achieved the intended objective of reducing use and associated harms. Legalization with regulation has been recommended as likely more effective.¹ In implementing these changes, a balance between the intended benefits and expected harms must be achieved. Island Health Medical Health Officers (MHOs), in addition to other MHOs provincially, support a public health approach to cannabis access and use²³. Such an approach includes legalization with market regulation aimed at protecting and promoting health while allowing access at levels that reduce the negative outcomes associated with illicit distribution.

Multiple sectors of society, and all levels of government, have roles to play in a comprehensive public health approach to cannabis legalization. Local governments, in particular, can adopt regulations aimed at 1) reducing youth exposure to non-medical cannabis, 2) reducing high-risk use in general (e.g., heavy or frequent use, use with other substances), and 3) unwanted exposure to second-hand cannabis smoke and vapour. Local governments can also support increasing public knowledge and awareness, to support risk reduction and de-stigmatization, without normalization or promotion.

Local governments' jurisdiction in zoning, land use, business licensing, building codes, nuisance and clean air by-laws, and enforcement, as well as their ability to advocate to higher levels of government, can all be leveraged to promote a public health approach to cannabis.⁴ Some specific areas of best practice⁵ where local governments can support a public health approach include:

1. Restrict public consumption of cannabis and exposure to environmental cannabis products. By limiting where cannabis can be consumed, local governments can reduce unwanted exposure to second-hand cannabis smoke or vapour, and can reduce the

¹ Haden, M., Emerson, B. (2014). "A vision for cannabis regulation: a public health approach based on lessons learned from the regulation of tobacco and alcohol." Open Medicine 8(2):e73. Available online: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4085088/>

² Canadian Public Health Association's position statement on Legalization, Regulation, and Restriction of Access to Cannabis. Available online: <https://www.cpha.ca/sites/default/files/uploads/policy/positionstatements/cannabis-positionstatement-e.pdf>

³ Canadian Chief Medical Officers and Urban Public Health Network. (2016). Public health perspectives on cannabis policy and regulation. Available online: <http://uphn.ca/wp-content/uploads/2016/10/Chief-MOH-UPHN-Cannabis-Perspectives-Final-Sept-26-2016.pdf>

⁴ Federation of Canadian Municipalities. (2018). Municipal Guide to Cannabis Legalization: A Roadmap for Canadian Governments. Ottawa, ON: Federation of Canadian Municipalities.

⁵ Recommendations are derived from Peloquin R, Scarr J. (2017). Cannabis Regulation and Youth: A Jurisdictional Review. Vancouver: Child Health BC, and Tyler, I., Schwandt, M., Padhi, S. (2018). Recommendations to support municipal bylaw development regulating cannabis access and use. Surrey, BC: Fraser Health Authority.

visibility of cannabis consumption for youth, making it less normative, and more likely that youth delay initiation or never start:

- Prohibit public cannabis consumption wherever tobacco or alcohol consumption is already prohibited. This should include areas not covered by provincial legislation including enclosed public spaces, transit shelters, common areas of apartment buildings and community care facilities, and areas frequented by children and youth, such as parks, beaches, pools, playgrounds, and sports fields; and,
 - Prohibit smoking/vaping lounges, including mobile units; and,
 - Facilitate multi-unit dwelling policies that limit unwanted exposure to environmental cannabis emissions
2. Ensure local retail sales of non-medical cannabis should be limited to reduce the unintended exposure by youth and harmful patterns of consumption in the general population:
 - Restrict marketing of cannabis such as sandwich boards, exterior signage, flyers, and sign spinners;
 - Establish a minimum separation of 300 metres between cannabis retail outlets, to limit overall density of cannabis availability in the community;
 - Establish a minimum buffer zone of 300 metres and preferably 600 metres between cannabis retail outlets and schools, recreation centres, and other areas where children and youth frequent;
 - Ensure any site specific siting within 600 metres of schools and on major school transportation routes should actively involve the school community and school districts in ensuring impact on students is negligible, and,
 - Limit hours of sale to at least correspond with alcohol sale policy, while greater restriction would provide additional health and safety benefits.
 3. Include public messaging on safer use and potential risks in local government communications to residents.
 4. Limit personal use growth and small grow operations to reduce nuisance odour concerns in residential settings.
 5. Be cognizant of and prepared to revise local restrictions and limitations on cannabis when and if edible cannabis products for consumption are approved for sale. Exclusion of on-premise edible consumption is likely to be recommended as peak effects will be delayed in most circumstances to after the departure of consumers from the premises. The concurrent consumption of cannabis and alcohol is known to increase risk and zoning and approval decisions should dissuade co-consumption opportunities

Other restrictions are already required under provincial and/or federal law, but local government can reinforce and strengthen these restrictions through setting higher standards, imposing additional penalties, and of course enforcement actions. The Municipal Guide to Cannabis Legalization, published by the Federation of Canadian Municipalities, which provides extensive practical guidance on these matters is a good resource to consult.

Certain specific recommendations may not be feasible in very small communities, e.g. relating to the physical separation of cannabis retail from areas where youth congregate. We still encourage local governments to follow the spirit, if not the letter, of the recommendations, e.g. striving for whatever physical separation is possible.

Island Health Medical Health Officers and colleagues across the province strongly caution against pursuing economic gain from the legalization of non-medical cannabis use. When cannabis production and sales are

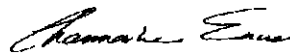
significantly motivated by revenue generation, this creates an incentive to encourage greater cannabis consumption by the public, and a disincentive to establishing appropriate restrictions on cannabis availability. The recommendation to legalize cannabis for non-medical purposes was driven in part by reducing the ongoing violence and negative health impacts caused by the illicit drug trade. Promoting and protecting health should remain the primary concern within a legalized environment.⁶ Revenue generated should be used to fund education, health promotion activities, and/or data collection and analyses that support the overall public health-related goals of cannabis legalization⁷.

Alcohol, tobacco, and opioids continue to cause a greater overall burden of disease and injury than cannabis. Local governments are encouraged to take the opportunity from the upcoming legislative changes to cannabis, to review how the harms associated with other substances, might also be reduced through local government action. For example, restrictions on public consumption should include cannabis, tobacco, e-cigarettes, and other combustible products; and many of the strategies we recommend to reduce harm from cannabis consumption through limits on access and buffer zones, should also apply to alcohol and tobacco retail.

Cannabis legalization represents both an opportunity and a challenge for local governments to foster the development of healthy, vibrant communities across BC. The above public health recommendations can be integral to local cannabis policy development. For more information, or to further discuss your community's approach to non-medical cannabis or other substances, feel welcome to connect with your local Medical Health Officer.



Paul Hasselback, MD, MSc, FRCPC
Medical Health Officer



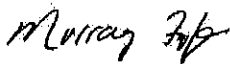
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Key Resources:

Canadian Public Health Association: A Public Health Approach to the Legalization, Regulation, and Restriction of Access to Cannabis (available online:
<https://www.cpha.ca/sites/default/files/uploads/policy/positionstatements/cannabis-positionstatement-e.pdf>

⁶ Canadian Chief Medical Officers and Urban Public Health Network. (2016). Public health perspectives on cannabis policy and regulation. Available online: <http://uphn.ca/wo-content/uploads/2016/10/Chief-MOH-UPHN-Cannabis-Perspectives-Final-Sept-26-2016.pdf>

⁷ Peloquin R, Scarr J. Cannabis Regulation and Youth: A Jurisdictional Review. Vancouver: Child Health BC 2017.

Centre for Addiction and Mental Health: Canada's Lower Risk Cannabis Use Guidelines (available online: https://www.camh.ca/-/media/files/lrcug_professional-pdf.pdf)

Federation of Canadian Municipalities: Municipal Guide to Cannabis Legalization (available online: <https://fcm.ca/Documents/issues/Cannabis-Guide-EN.pdf>)



Governments pass the buck on marijuana smell

TIM COLLINS / Jul. 11, 2018 3:30 p.m. / NEWS

The smell of the marijuana operation owned by Canopy Growth continues to plague area residents, while the government departments that are residents say should be offering help continue to pass the buck.

About 38 Aldergrove residents gathered on Wednesday evening (June 4) at a home that is literally a golf shot away from the 30-acre marijuana operation.

"None of the people here today seem to have a problem with marijuana legalization and whether its a good idea. That isn't even an issue here," said Doug Bileski, one of the group's organizers.

"We're here because the cultivation that was made possible by legalization has made our lives miserable."

The problem continues to be the vile odour emanating from the extensive greenhouse operation owned by Canopy Growth.

The company bought up what was once a pepper farm and has planted some 200,000 marijuana plants in the facility.

Unfortunately for the farm's neighbours, marijuana stinks.

"It has the smell of rotting meat, " said Susan Hagedorn, who lives a few blocks from the farm.

"You go outside and you have to catch your breath. It gets into your clothes, into your car, everywhere. It's enough to make you gag."

Bileski pointed out that no one seems prepared to stand up for the residents and help to address the issue.

"Somebody should be able to do something. Who is it?" he ask Who's going to finally stand up and do something about this?"

In an effort to answer that question Black Press reached out to the Government of Canada.

While no one representing the Agriculture or Health Departments were willing to be interviewed, Patrick Gerard, Senior Media Relations Officer, wrote us saying:

"Have you followed up with the municipal/regional government there? I checked with my counterparts at Health Canada and they suggested this would be the jurisdiction of the municipal/regional government."

When it was pointed out that there are regulations in place for medical marijuana that call for air filtration for medical marijuana operations, we received no response.

The Provincial Government was far more detailed in their response. While also declining an interview on the issue they wrote:

"Medical cannabis operations are Federally-licensed under the Access to Cannabis for Medical Purposes Regulations.

The federal government has requirements for growers through the Regulations including (Subdivision C, 61): 'Those areas must be equipped with a system that filters air to prevent the escape of odours and, if present, pollen.'

The federal 'Building and Production Security Requirements for Marijuana for Medical Purposes.' also states:

'To assist in the prevention of the escape of pollen, odours, and other particles, all exhaust air from your cultivation area and other areas within your site where cannabis is present can be filtered through appropriate air filtration systems. For example, a high-efficiency particle air filter such as a H13 HEPA filter can ensure appropriate ventilation and filtration of exhaust air.'

Provincial spokesperson Dave Townsend, also suggested that those "Aggrieved by a noise or other disturbance resulting from farm practice may also file a formal complaint with the B.C. Farm Industry Review Board.

The latter suggestion comes in response to the secondary issue facing area residents, namely, the roar of misting cannons that have been installed around the perimeter of the farm, ostensibly to solve the odour problems by spraying a concoction of “essential oils” into the air to capture the smell of the marijuana cultivation.

“Those misting cannons have done nothing,” said Driese. “Now you smell a combination of rotting meat and a pungent chemical smell. The company told us that this was a solution that worked for the marijuana operation at Niagara-on-the-Lake, but we know that isn’t true.”

[Read more below](#)

Black Press reached out to the neighbours of the Tweed operation at Niagara-on-the-Lake and found that Driese was accurate in saying that the misting cannons had not solved the problem there.

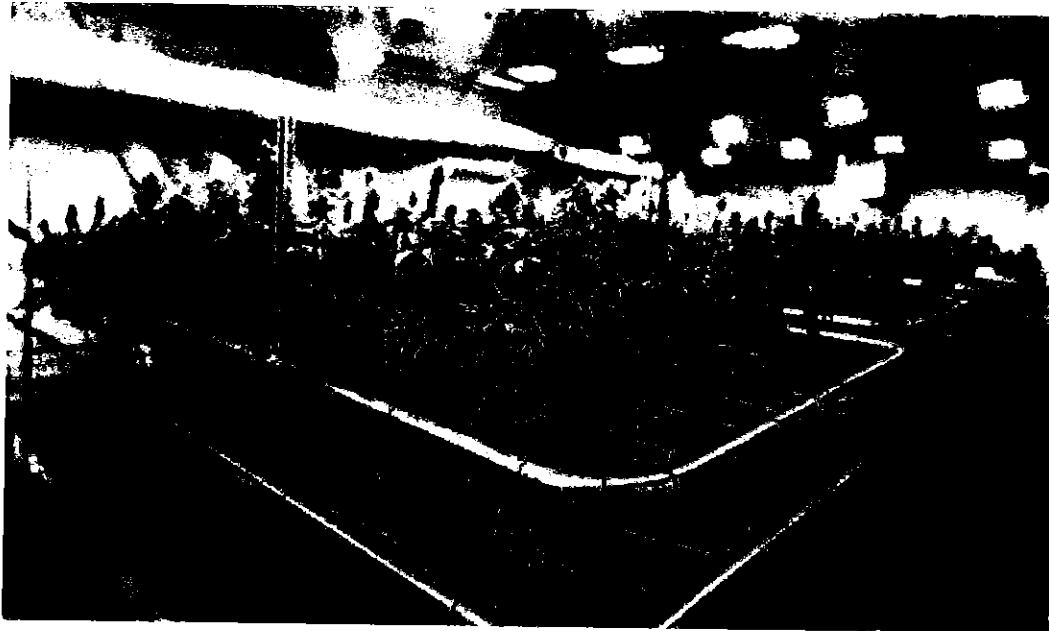
“We can still smell it. I work indoors most of the time, but I’ve had a lot of people who work outdoors tell me it’s pretty bad,” said Amelia Keating, the operations manager at Five Rows Craft Wine-Lowrey, a winery located a short distance from the marijuana operation at Niagara-on-the-Lake.

“All the various levels of government want to do is point at each other and say that someone else has the authority here. It seems that they rushed willy-nilly into this thing and now no one knows who’s responsible for the fall-out,” said Hagedorn.

"We went to the Langley Township Council and they agreed to send a letter to the province, but we know that they have to consider the property tax revenue and employment being generated by the operation, so I'm not sure we have much hope there either. No one...not one of our elected officials at any level of government wants to deal with this and meanwhile, we cant go outside without gagging."

EVIDENCE BRIEF

Odours from cannabis production



*I've underlined
what this report
states. I may have
missed some things
but the odor/quality of
air
is the prime
point*

April 2018

Key Messages

- No studies on health effects associated with exposure to cannabis odours were identified in the scientific or grey literature.
- Odours can result in annoyance and complaints from nearby residents. Current practices recommend the use of appropriate ventilation and filtration systems at cannabis production/cultivation facilities to mitigate the release of substances that may result in odours.
- A system to report and track odours could help inform on timing and extent of the occurrence of odour to assist local authorities to remedy potential problems.

Issue and Research Question

Although medical cannabis production facilities already exist, the legalization of recreational cannabis will likely result in an increase in the number of facilities, or the scale of existing cannabis production facilities. Under the *Proposed Approach to the Regulation of Cannabis*, the production of cannabis will be permitted at both large- and small-scale commercial facilities (cultivators and processors) as well as

in private residences in smaller amounts. These facilities may produce emissions that result in odour complaints from neighbours. Based on inquiries from multiple health units, Public Health Ontario conducted a search of the scientific and grey literature to assess potential health effects related to odour producing emissions associated with cannabis production facilities. Health effects from cannabis smoke inhalation, cannabis consumption and other potential environmental hazards identified in cannabis cultivation (such as biological pathogens, pesticides and other chemicals) were not considered within the scope of this evaluation.

Methods

A literature search was conducted by PHO Library Services using relevant databases (MEDLINE, Embase, Environment Complete, and Scopus), with a combination of pre-defined search terms related to cannabis production and odours. A total of 334 records were returned and reviewed for relevance, with a focus on articles with information about the health effects of these odours. In addition, a grey literature search in Google with a focus on the health effects of odours related to cannabis production was conducted. The detailed search strategy and complete results are available upon request.

Main Findings

Cannabis odours

The characteristic odour associated with cannabis is attributed to the release of chemical compounds into the air known as volatile organic compounds (VOCs). A study by Rice *et al.* identified over 200 different VOCs from packaged cannabis samples.¹

An important consideration when sampling for odorous compounds is the possibility that compounds emitted at higher concentrations may not necessarily be responsible for the overall characteristic of the odour.¹ In addition, the overall odour of cannabis can be time dependent as chemical volatilization occurs at different rates for different compounds. While both fresh and dry cannabis can be associated with odours it is possible that the VOCs responsible for the aroma profiles may be different due to different rates of chemical volatilization.¹ As a result, it is difficult to identify one or a select number of chemicals to measure from a facility to potentially monitor odour on a continuous basis. One approach used for characterizing odour mixtures is the use of the odour unit, which is the ratio between the amount of odourant present in a volume of a neutral (odourless) gas at the odour detection threshold of the odour evaluation panelists. The odour unit is used by the Ontario Ministry of Agriculture, Food and Rural Affairs to categorize odours under the *Nutrient Management Act* and by the Ontario Ministry of the Environment and Climate Change to determine the compliance of industrial facilities with regulations under the *Environmental Protection Act*.^{2,3} Guidance and procedures for determining odour emissions from industrial facilities are provided under the Ontario Source Testing Code.³

The processing of cannabis and production of cannabis products can also result in odour emissions. Activities such as cannabis oil extraction/concentration can involve the use of chemical solvents such as butane or distillation using alcohol which can also contribute to the overall odour emitted from a production facility.⁴ Disposal of cannabis waste products is not expected to contribute to odour as proper disposal involves rendering the waste unusable by grinding and combining with other waste products (food, yard, paper, or plastic wastes, or soil) which will mask or dilute odour producing compounds. This waste is then disposed of according to local ordinances, which can include landfills or municipal waste incinerators which themselves are operated under licenses that specify engineering controls for odour.⁵⁻⁷ In Canada, personal cannabis producers are advised to dispose of excess cannabis by mixing with water and kitty litter to mask odour prior to disposal in household garbage.⁸

Health effects from odours

No studies on health effects associated with exposure to cannabis odours were identified in the scientific or grey literature. The perception of odour is not a reliable way to determine the risk of health effects. Some odorous compounds are noticeable at low concentrations where the risk for health effects is very low (e.g. odourants added to natural gas to aid in leak detection), while other chemical compounds (e.g., carbon monoxide) do not result in odours at any concentration, even when there is the potential for people to be exposed at dangerous levels.⁹

In general, most substances responsible for odours in the outdoor air are not present at levels that can cause long-term health effects.¹⁰ However, exposure to unpleasant odours may affect an individual's quality of life and sense of well-being. Exposure to odorous compounds can potentially trigger physical symptoms, depending on the type of substance responsible for the odour, the intensity of the odour, the frequency of the odour, the duration of the exposure, and the sensitivity of the individual detecting the odour.^{11,12}

Odour mitigation guidelines

In Canada, Health Canada regulates medical cannabis producers and requires that facilities are equipped with an air filtration system to prevent the escape of odours under Provision 61 of the *Access to Cannabis for Medical Purposes Regulations*.¹³ An air filtration system using a H13 high-efficiency particle air (HEPA) filter is given as an example of such a system by Health Canada.¹⁴

Other jurisdictions have gone through the process of cannabis legalization and implemented guidelines and procedures to address potential odour issues from production facilities. The following is a summary of the existing guidelines gathered from various agencies in Colorado, Alaska and California.

The Colorado Springs Fire Department provides guidance to licensed cannabis production facilities based on the recommendations in the Cannabis Facility Guidance document from the Fire Marshals Association of Colorado.¹⁵ The guidance recommends that appropriate ventilation and filtration systems be implemented and maintained to satisfy applicable local odour nuisance standards. In addition, the

adoption of best practices and state-of-the-art technologies in odour mitigation are strongly encouraged.¹⁶ In situations where odour is inadequately mitigated and is perceived to be excessive, residents in Denver, Colorado are asked to file a nuisance odour complaint with the Denver Department of Environmental Health.¹⁷

The city of Denver, Colorado has released a Best Management Practices document for commercial medical cannabis producers, wherein a number of odour control technologies are described.¹⁸ Carbon filtration has been recommended as the best control technology for cannabis cultivation facilities and producers of cannabis-infused products.¹⁸ Other recommended technologies include negative ion generators/electrostatic precipitators, air scrubbers, masking agents, and the use of negative pressure to keep odours within the facility.^{15,20,21} Regardless of which technologies are used to control odour, it is important that these systems are properly maintained according to specifications to provide optimal performance.

Applications for cannabis cultivation facilities in Alaska must submit an operating plan that includes odour control to ensure that cultivated cannabis does not emit odour detectable by the public from outside the facility.²² Similarly, regulatory permit applications for medical cannabis facilities in Hollister, California are evaluated based on an adequate odour management plan which must include a detailed description of the ventilation system that will be used in the facility.²¹ In Sacramento, California, permitted cannabis producers are required to prevent all odours generated from the cultivation and storage of cannabis from escaping from the buildings on the cultivation site, such that the odour cannot be detected by a reasonable person of normal sensitivity outside the buildings.²³

Discussion and Conclusions

The upcoming legalization of cannabis in Canada is expected to result in an increase in cannabis production or cultivation in both large- and small-scale commercial facilities, and private residences. There is a potential that operation of these facilities will result in the release of odour and odorous compounds into the surrounding environment. However, environmental odours are regularly encountered from agricultural and industrial operations and odour control technologies are both readily available and widely used in these industries.

Although regulations and guidelines are still being developed for the province of Ontario, other jurisdictions have already legalized cannabis production and developed best practices and procedures to address odour issues. In general, cannabis production facilities can implement and maintain appropriate ventilation and filtration systems to satisfy applicable local odour nuisance standards. A formal system for residents to document and report nuisance odours can facilitate the enforcement of these standards or municipal bylaws. As part of the permitting process, odour control plans can be reviewed to determine whether emissions are adequately treated such that cannabis odours are not perceptible outside the exterior of the building.

Studies linking health effects to neighbourhood exposure to emissions from cannabis production facilities were not found through the literature search. Detection of unpleasant odours may affect an individual's sense of well-being by triggering a physiological response.

Implications for Practice

Although studies on health effects from neighbourhood exposure to emissions from cannabis production have not been published, these emissions of volatile organic compounds would be broadly comparable to those produced by other agricultural operations. In general, the substances responsible for odours may result in reports of responses such as headaches or irritation depending on individual tolerance of particular odours.

Based on existing guidance from Health Canada and elsewhere, odour control technologies are available for production facilities to prevent the release of odours from site buildings.

Following other jurisdictions, a system to report and track nuisance odours could be implemented in the event that the odour control at a cannabis production facility is not effective. Such a system can help to inform local authorities on timing and extent of the occurrence of odour, and inform decisions through which authorities can intervene to remedy potential problems. Health Canada, through the regional Controlled Substances Program, conducts inspections of licenced producers to verify their ongoing compliance with the *Access to Cannabis for Medical Purposes Regulations* (ACMPR).²⁴ A similar inspection system may be useful to encourage and monitor compliance with the requirement for air filtration and odour control under the ACMPR.

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Specifications and Limitations of Evidence Brief

The purpose of this Evidence Brief is to investigate a research question in a timely manner to help inform decision making. The Evidence Brief presents key findings, based on a systematic search of the best available evidence near the time of publication, as well as systematic screening and extraction of the data from that evidence. It does not report the same level of detail as a full systematic review. Every attempt has been made to incorporate the highest level of evidence on the topic. There may be relevant individual studies that are not included; however, it is important to consider at the time of use of this brief whether individual studies would alter the conclusions drawn from the document.

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For Further Information

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Public Health Ontario

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Fire Risks

Community Concerns Regarding Fire Hazards

This proposed facility will use approximately 7 ½ megawatts of power per day. That is the equivalent of 250 homes, which clearly does not constitute regular farm practices. The developer has informed us that they would like to use natural gas as their power source, however, that is not presently an option. We have been informed that the current plan is to keep large amounts of propane on site to power the facility. This constitutes an unacceptable level of risk to our community. Climate change is altering our environment in ways that we easily recognize and still many other ways that are not fully understood. But the current risks of detrimental fires in rural areas of BC is not up for debate. Bringing such massive quantities of flammable materials into the centre of a populous rural community presents multiple risks to our environment, our properties and our safety.

Please review the following articles that outline the extent to which our community is currently at risk of experiencing a detrimental fire, without any industrial development. Back in March a small controlled backyard burn a number of acres away spread to our street in a manner of minutes. It required the intervention of four fire departments and a helicopter and took many hours to extinguish. It is important to note that our local community's fire department is not in possession of a ladder truck and would be wholly incapable of fighting a fire within this proposed 35 foot high building, and would require the support of the city's department, which is located more than twice as far away. This community cannot sustain the risks presented by the power demands of an industry of this nature. Logic and ethics both dictate that facilities of this nature belong surrounded by concrete, not forests.

Crews battle burning field in Beaver Creek near Port Alberni

Firefighters from three departments, aerial support battled large grass fire

SUSIE QUINN / ELENA RARDON / Mar. 18, 2019 4:21

p.m. / LOCAL NEWS / NEWS / VIDEO

Firefighters from Beaver Creek, Cherry Creek and Sproat Lake volunteer fire departments responded to a field fire on Cameron Road in Beaver Creek on Monday afternoon.

The field is estimated to be as large as 20 acres and approximately one quarter of the field was burning, said Beaver Creek Fire Chief Charlie Starratt. Firefighters set up portable water units to help fight the blaze, and ferried in water from the nearest hydrants.

Alberni Valley fire crews battle...

The cause of the fire had not been determined as of Monday evening, according to Starratt.

Firefighters attacked the fire from two different directions, on Beaver Creek Road and Cameron Road, attempting to protect the buildings on either side of the field. Fire crews also put a call in to the Coastal Fire Centre for aerial support, and a four-person crew from the Thunderbirds responded.

"It is early in the year for that," Starratt acknowledged.



A field on a Cameron Road property is burning in Beaver Creek, prompting a mutual aid callout to three volunteer fire departments and a request for aerial support. TONY SHUMUK PHOTO

BC Wildfire Service helps extinguish grass fire in Beaver Creek during one of its first

Posted By: Alexa Huffman on: March 19, 2019 In: News, Top Stories



Firefighters extinguish a grass fire in Beaver Creek on Vancouver Island on March 18, 2019. (Fire Chief Charlie Starratt/Submitted)

The BC Wildfire Service helped local firefighters extinguish a grass fire in Beaver Creek on Monday during one of its first calls of the year.

Beaver Creek Fire Chief Charlie Starratt said the fire was reported at 3:43 p.m. March 19 in the 7800-block of Beaver Creek Road. A neighbour saw an open fire and called 911.

The Beaver Creek Fire Department responded with mutual aid from Cherry Creek and Sproat Lake. A BC Wildfire Service helicopter operated by the Port Alberni Fire Department dropped water on the fire six times, Starratt said. He added that it was one of the wildfire service's first calls in 2019.

Starratt said the fire spread to five acres in the breezy and dry conditions. It was fully extinguished by 7:30 p.m. There were no injuries and there were no property losses. Only grass and a few trees were burned.

"The fire spread so fast, you couldn't keep up with it," Starratt said.

There are no fire bans or restrictions in place as of March 19, 2019. Starratt said he hasn't heard when any bans and restrictions will be issued but he expects them soon. In the meantime, he is asking anyone who is conducting an open burn to be very cautious.



Firefighters extinguish a grass fire in Beaver Creek on Vancouver Island on March 18, 2019. (Fire Chief Charlie Starratt/Submitted)



Firefighters extinguish a grass fire in Beaver Creek on Vancouver Island on March 18, 2019. (Fire Chief Charlie Starratt/Submitted)



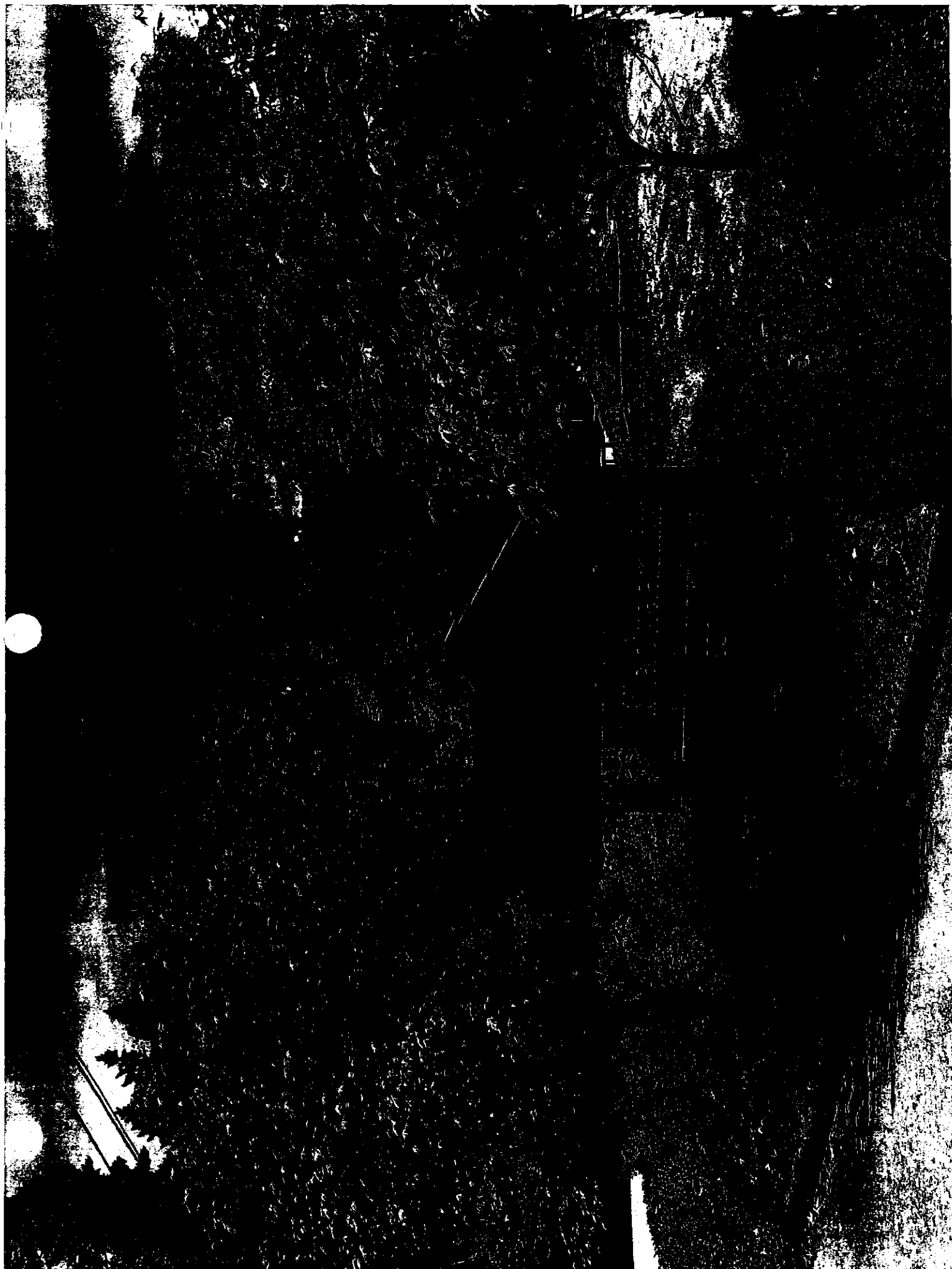
Firefighters extinguish a grass fire in Beaver Creek on Vancouver Island on March 18, 2019. (Fire Chief Charlie Starratt/Submitted)

Kackaamin

Kackaamin

Kackaamin is a First Nations Family Treatment Centre that has peacefully coexisted with the community since it opened in 2009. It is situated directly across the street from the proposed facility. The centre offers treatment and support to families that are dealing with trauma, addictions and the other residual effects from the legacy of the residential school system. They are unique in their methods of treating entire families, who come to the centre to live in cabins within our quiet, rural community, for periods of six weeks, while receiving treatment, support and education. As was previously stated, Kackaamin runs a fully accredited K-12 school and daycare. They serve anywhere from _____ to _____ children at a time. The developer's assertions that this industrial marijuana facility will not interfere with the centre's ability to offer effective treatment demonstrates a serious misunderstanding of the nature of addictions and addiction treatment, and the nature of trauma and triggers in general. If a massive marijuana production facility is permitted to be built, either in a cement-based structure or within soil-based greenhouses, any noxious odors omitted will serve as a significant olfactory trigger, undermining the centre's ability to offer effective treatment. However, even without the odor there is substantial research that supports the notion that the mere existence of a drug production facility in such close proximity will negatively impact their ability to do their work.

Included in this section is an overview of the centre and the work that they do. We have also included some articles on the nature of trauma and triggers to support our argument that the existence of a cannabis production facility will serve to undermine the treatment that the centre provides. We have also included information from the Canadian Medical Association and College of Physicians and Surgeons as they provide further clarification regarding our concerns that this proposed facility will be unable to interface successfully with Kackaamin. The ACRD has made an explicit commitment to the principle of reconciliation, as have our provincial and federal governments. The clients of the centre uproot their lives for six-week periods of time, in an effort to receive sound and effective treatment. They do not deserve to have their efforts undermined by the imposition of this factory into a community that Kackaamin has existed in and contributed to for almost a decade. Electing to impose a massive marijuana production facility across from a First Nations addictions treatment centre is clearly *not* a choice that could possibly be made in the spirit of reconciliation.





Kackaamin

FAMILY DEVELOPMENT CENTRE
7830 Beaver Creek Road
Port Alberni, BC V9Y 8N3

Agriculture Land Commission

File #ORCS/81500/20/Cannabis/2018/VancouverIsland

Attention: Ron Wallace

ALC.Island@gov.bc.ca

Re: Proposed Medical Marijuana Plant

Located at 7827 Beaver Creek Road

Port Alberni, BC

To Whom it may concern:

On behalf of the Board of Directors and the staff of Kackaamin Family Development Centre located at 7830 Beaver Creek Road, Port Alberni BC, we are writing to you a letter of opposition to the proposed construction of a Medical Marijuana Facility located directly across the street and 175 meters from our property.

Kackaamin Family Development Centre is a First Nations Alcohol and Drug Treatment Centre. We have carried out our Trauma Healing Programs to help bring First Nations Families back together that have been directly affected by the Indian Residential School system. We have been in continuous operation for 45 years, 35 years on Meares Island 10 years in the Beaver Creek District of Port Alberni on the site of the old Beaver Creek Elementary School. Part of our effectiveness is the secluded, peaceful environment we have been able to provide for our client families.

We are concerned and opposed to the location of the proposed facility, as it is on ALR land, 100 meters from our facility. Through much of the research that has been done by the Beaver Creek Citizens against the Marijuana Facility, the idea that this proposal has to reach this level of government is preposterous.

We are aware that your role is strictly Agriculture Land Reserve, however somewhere there has to be some department that is responsible for all the other factors of big business on Agriculture Land. It is our opinion that there is a lot of "pass the buck" mentality throughout various levels of government.

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BACKGROUND INFORMATION

Kackaamin Family Development Centre (*formerly Kakawis Family Development Centre*) had its beginnings in 1974 on Meares Island located on the western coast of Vancouver Island. For thirty five years Kackaamin provided family and community development services to First Nations families and peoples from across British Columbia with special emphasis placed upon alcohol and drug addiction prevention and intervention.

The original site houses Christie Residential School for approximately seventy years. By the early 1970's the Oblates of Mary Immaculate (OMI) opted to close the doors of the residential school and extended an opportunity for local First nations communities to determine the best use of the facility. Initially, through guidance from local First Nations communities *Kakawis* was formed through the visionary and committed involvement of recovering families and member of the OMI. Staying on Meares Island in the old buildings and travelling by boat daily became an economic hardship for the centre as the funding was minimal.

The genesis of the ensuing family and community development centre took root through the emerging need for immediate, long term options to confront the rising rate of alcoholism and its generative impacts upon the first nations family and community structures. In its first decade of operation, *Kakawis* quickly matured into a self-contained, unique facility equipped with contemporary western practices and traditional first nations healing approaches. *Kakawis* continued to develop services focusing specifically upon chemical dependency and its effects on the family structure. Enhancements to the facility and additional support and funding presented itself through the ongoing transformation of *Kakawis*. From this point on many changes have occurred as a myriad of new and increasingly problematic issues affecting families and communities has arisen, such as increased exposure to harder drugs: crack cocaine, crystal meth, opioids, and now fentanyl. In addition the Truth & Reconciliation Commission of Canada documented the history of the survivors of the Indian Residential Schools, and the second and third generation of survivors has demonstrated the horrific effects and trauma suffered by individuals and families leading up to today with the issue of the amount of Aboriginal children in care, our work continues to shift and change to meet the needs of the families that are seeking a better life.

In 2006, 7830 Beaver Creek Road in Port Alberni was purchased by Kackaamin Family Development Centre Association. The property was on the site of a previous elementary school in the Regional District of Beaver Creek, There were numerous small acreage homes in very close proximity. The School had sat on nine and one half acres and had four existing buildings, a large building that today houses administration, adult programming, a Boardroom, staff room

and numerous counselling offices. The second building that had been a small building annex that housed two large classrooms is now K to 12 Classrooms, a daycare building and a gymnasium. We received funding for renovations as well as building seven duplexes, and two stand-alone housing units, and a Maintenance building. These buildings are at the back of the original existing building with a limited view from the main road, and they house our clients and families during their stay at our Centre. We received funding from BC Housing, the Real Estate Foundation, the Order of Mary Immaculate (OMI) and several small funders. Kackaamin Family Development Centre officially opened its doors in November 2009 at the new location and hosted a Grand Opening that welcomed approximately five hundred guests, from Elders, Hereditary and Elected Chiefs, Community member, Provincial and local Government Officials as well as staff and guests.

From its origin, the Centre has modeled a variety of unique strengths that have contributed greatly toward its perseverance and advancement as a leading provider in the field of family and community development. Well ahead of its time, the Centre has offered reconciliatory healing in regards to the Residential School experience. *Kakawis* now Kackaamin has challenged the social, political and spiritual barriers and illustrated to the outer world that hope can be born through the ashes of adversity. Specific programs such as Alcoholics Anonymous and the Virtues Project are recognized as being fundamental components that assist in building success for families during their stay at Kackaamin. It is also the longest running First Nations Family Centre in Canada, and there are only four Centres in Canada.

We must effectively continue to offer essential services and Kackaamin has embedded a strong internal evaluative component to monitor the services offered to ensure that client's emergent needs are being met with the best possible approaches. We evaluate our programs through ongoing client surveys and evaluations; performance monitoring initiated independently through staff professional development; periodical Program Reviews and Evaluations as required by the variety of funders as well as meeting the reporting requirements of the Funders, (*First Nations Health Authority, FNHA; Island Health Authority, IHA; School District #70 Provincial Resource Programs, SD#70 PRP; and Ministry of Children and Families, MCFD*). Kackaamin is governed by a Board of Directors that have been an integral component in our self-evaluation and growth.



College of Physicians and Surgeons of British Columbia

Practice Standard

Cannabis for Medical Purposes

Effective:	November 14, 2016
Last revised:	April 5, 2019
Version:	2.4
Next review:	November 2021
Related topic(s):	<u>Sale and Dispensing of Drugs by Physicians, Complementary and Alternative Therapies, Safe Prescribing of Opioids and Sedatives</u>

A **practice standard** reflects the minimum standard of professional behaviour and ethical conduct on a specific topic or issue expected by the College of all physicians in British Columbia. Standards also reflect relevant legal requirements and are enforceable under the Health Professions Act, RSBC 1996, c.183 (HPA) and College Bylaws under the HPA.

Registrants may seek advice on these issues by contacting the College and asking to speak with a member of the registrar staff, or by seeking medical legal advice from the CMPA.

PREAMBLE

This document is a practice standard of the Board of the College of Physicians and Surgeons of British Columbia.

This practice standard applies to the utilization of cannabis for medical purposes, and does not apply to recreational use which has now been legalized in Canada. This standard does not apply to physicians practising in a hospital setting.

In addition to this practice standard, physicians must be aware of, and comply with the *Cannabis Regulations* set out by the Government of Canada's Department of Justice.

COLLEGE'S POSITION

Few reliable published studies are available on the medical benefits of cannabis. The amount of active ingredients in cannabis varies significantly, depending on the origin and method of production of the substance.

Physicians are advised that they should not prescribe any substance for their patients without knowing the risks, benefits, potential complications and drug interactions associated with the use of that agent. Physicians may be the subject of accusations or suggestions of negligence, including liability if the use of cannabis produces unforeseen or unidentified negative effects.

Cannabis is generally not appropriate for patients who:

- a. are under the age of 25
- b. have a personal history or strong family history of psychosis
- c. have a current or past cannabis use disorder
- d. have an active substance use disorder
- e. have cardiovascular (angina, peripheral vascular disease, cerebrovascular disease, arrhythmia) or respiratory disease
- f. are pregnant, planning to become pregnant or are breastfeeding

The College recognizes that there are sometimes circumstances in medical practice where exceptions to strong relative contraindications may be appropriate. When physicians utilize a therapeutic agent despite strong relative contraindications, the standard of care mandates detailed documentation of their rationale.

In Canada, a person with a medical authorization for cannabis document provided by a physician may access cannabis by registering with a licensed producer, or by registering with Health Canada to produce a limited amount for their own purposes or by designating someone else to produce it for them.¹ The authorization document must be completed annually if the patient continues to receive cannabis for medical purposes.

The medical document authorizing a patient access to cannabis must include the following:

¹ See College of Family Physicians of Canada "Authorizing Dried Cannabis for Chronic Pain and Anxiety" September 2014

- a. the physician's given name and surname, business address and telephone number, the province in which they are authorized to practise and the number assigned by the province to that authorization and their facsimile number and email address (if applicable)
- b. the patient's given name, surname and date of birth
- c. the address of the location at which the patient consulted with the physician
- d. the daily quantity of dried cannabis, expressed in grams, that the physician authorizes for the patient
- e. the period of use, expressed as a number of days, weeks or months which must not exceed one year

The College considers the medical document authorizing patient access to cannabis to be equivalent to a prescription. Physicians must not charge patients or licensed producers of cannabis for completing the medical document, or for any activities associated with completing the medical document, including, but not limited to: assessing the patient; reviewing his/her chart; educating or informing the patient about the risks or benefits of cannabis; or confirming the validity of a prescription in accordance with the Cannabis for Medical Purposes Regulations.

Given the paucity of evidence to support the use of cannabis for medical purposes, physicians who choose to provide a document related to the authorization of cannabis for medical purposes shall:

1. Document a comprehensive medical assessment of the condition to be treated with cannabis, including a history, physical examination and investigations, as appropriate.
2. Document that conventional therapies for the condition for which the authorization of cannabis for medical purposes was provided have been attempted to assist the patient in the management of his/her medical condition and have not successfully helped the patient.
3. Assess the patient for addiction and/or risk of addiction. For the latter, use a validated addiction risk tool and retain a copy in the patient record.
4. Discuss with the patient the risks of using cannabis and record in the patient's medical record that a discussion occurred.
5. Review the patient's PharmaNet information prior to issuing an authorization for cannabis for medical purposes and in any reassessment of patients receiving cannabis for medical purposes.
6. Retain a copy of the document provided for the authorization of cannabis for medical purposes in the patient's medical record.
7. Include processes to identify any misuse/abuse/diversion by the patient in any reassessment of patients receiving cannabis for medical purposes.
8. Not sell or dispense cannabis for medical purposes to any patient.
9. Not complete a document for the authorization of cannabis for medical purposes for a patient unless the physician
 - a. has a longitudinal treating relationship with the patient, or
 - b. is in direct communication with another physician or nurse practitioner who has a longitudinal treating relationship with the patient and both are in well-documented

agreement with the issuance of a document for the authorization of cannabis for medical purposes.²

The physician who is authorizing cannabis for a particular clinical indication should be primarily responsible for managing the care for that condition and following up with the patient regularly.³ Assessment and authorizing cannabis as a stand-alone service is considered suboptimal.

Although the authorization of cannabis for medical purposes is valid for up to one year, patients using cannabis for medical purposes should be clinically reassessed as to the appropriateness of treatment by their physician at least once every three to six months.

It is important to ensure that patients understand that potential side effects of cannabis, such as sedation or cognitive impairment, can impact their safety. Health Canada has stated that driving, operating heavy equipment, or other activities involving alertness and coordination may be unsafe for up to 24 hours following a single consumption, depending on the dosage, the delivery route, and the patient's age and other health factors. It is important to discuss with patients that their reactions to the substance and to different formulations are individual, and that it is important to go slowly with the treatment until a stable, effective dose is reached. A similar caution should be provided to any patient in a safety-sensitive occupation.

Through its library service, the College is providing registrants with access to appropriate reference material to guide them in making informed decisions on the risks and benefits of cannabis for medical purposes as they seek to provide appropriate evidence-based care to their patients.

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Health Canada. Information for health care professionals: cannabis (marihuana, marijuana) and the cannabinoids [Internet]. Ottawa: Health Canada; 2013. 152 p.

² See Access to Cannabis for Medical Purposes Regulations SOR/2016-230

³ See College of Family Physicians of Canada "Authorizing Dried Cannabis for Chronic Pain and Anxiety" September 2014, recommendation 13



Cannabis

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In response to the high use rates among Canadians — particularly among youth — the federal government legalized the recreational use of cannabis in October 2018. Canadian physicians have also been addressing the impacts of high use rates amongst their patients. Given physicians' stake in the issue, the CMA was a prominent voice throughout the deliberations of the federal Task Force on Cannabis Legalization and Regulation, legislation and regulations.

Today, we continue to advocate for a public health approach to cannabis with three primary aims: prevent problematic drug use; make assessment, counselling and treatment services more available; and improve safety for those who use through harm reduction programs and awareness.

While the CMA recognizes that some individuals suffering from terminal illness or chronic disease may obtain relief with cannabis, there remains a need for clinical

information to physicians, such as clinical indications, dosages, and potential interactions with medications.

We continue to support physicians by providing information and resources on cannabis use for recreational and medical purposes.

[!\[\]\(a870788d6ed9b8fd294b7654a8c8526b_img.jpg\) **CMA policies on cannabis and medical marijuana**](#)

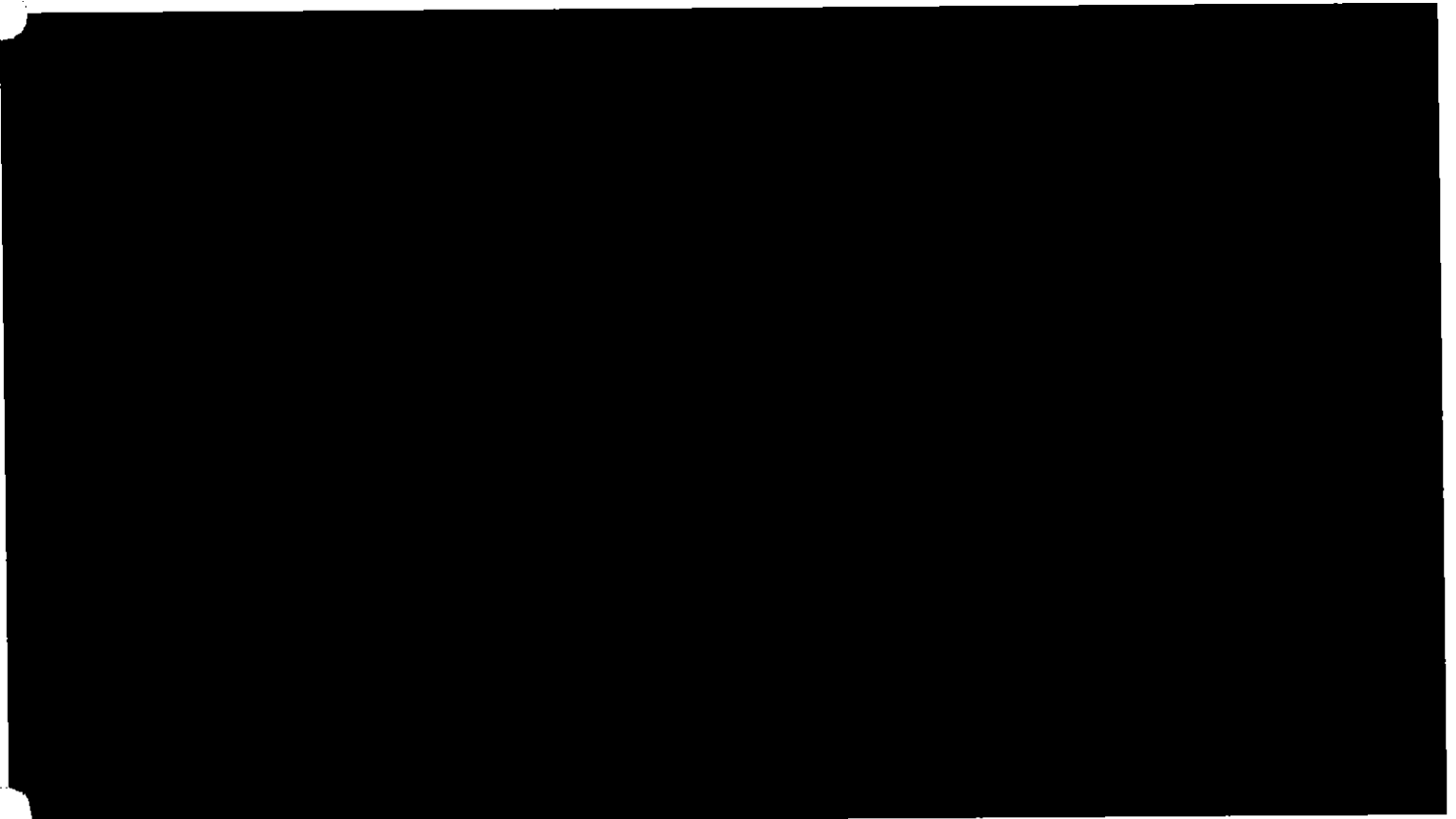
News

October 16, 2018

"It's legal, how bad can it be?" CMA launches national awareness campaign on cannabis, targeting youth

To coincide with the legalization of cannabis on October 17, the CMA launched a public health campaign on the health risks of cannabis use, targeting young Canadians. The ads focus on facts about using cannabis and the potential negative side effects for young users.

+ [Learn more](#)



2015 Canadian Tobacco, Alcohol and Drugs Survey

10%

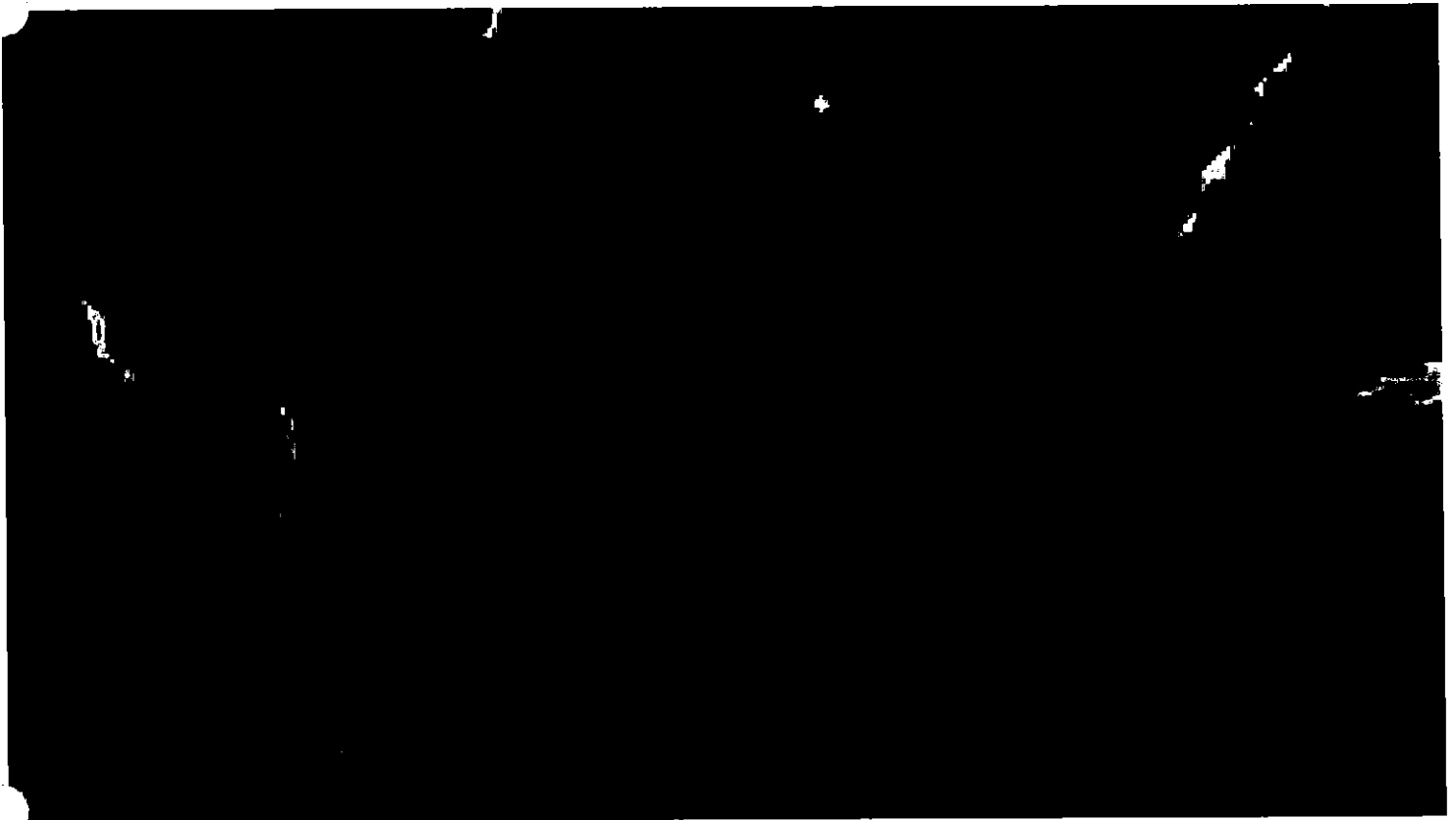
of adult Canadians (ages 25 and up) reported having used cannabis at least once in the past year. Over one third reported using it at least once in their lifetime.



2016–17 Canadian Student Tobacco, Alcohol and Drugs Survey

17%

of Canadian students in grades 7 to 12 reported having used cannabis at least once in the past year — making them top users among their peers worldwide.



2012–13 Drug and Alcohol Treatment Information System data

32.7%

of patients accessing publicly funded substance abuse treatment said cannabis was a problem substance — third only behind alcohol and tobacco.



May 2015 Journal of Forensic Sciences

Cannabis was involved in 27%

of fatal motor vehicle collisions in Ontario where drugs were detected in drivers.

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CMA activity and submissions

2018[← Newer](#) [Older →](#)**December 4, 2018**

[CMA response: Health Canada consultation on Canadian drugs and substances strategy](#)

The CMA supports a public health approach to substance use issues, and a comprehensive national strategy to address the harms associated with psychoactive drugs.

January 19, 2018

[Proposed Approach to Regulation of Cannabis](#)

The CMA makes a submission to Health Canada on the proposed cannabis regulations — focusing on public health, harm reduction, and other measures consistent with a public health approach.

TOOLS & RESOURCES

Tool

Lower-risk cannabis use postcard

Display this postcard in your office or waiting area so patients can take away reliable information about cannabis use, including recommendations for reducing risk. Derived from the evidence-based recommendations of Canada's Lower-Risk Cannabis Use Guidelines.

Resource

CMA policy on medical marijuana

Marijuana can offer patients relief when conventional therapies do not — but a lack of evidence of the risks and benefits of its use makes it difficult for physicians to properly advise patients. See the CMA's recommendations for addressing this issue and others in our policy on medical marijuana.



The CMA supports Canada's Lower-Risk Cannabis Use Guidelines, a publication of the Centre for Addiction and Mental Health that offers 10 science-based recommendations to help individuals lower the health risks of cannabis use.

Tool

Lower-risk cannabis use poster

Give patients fast facts about cannabis use and ways to reduce risk by displaying this poster in your office or waiting area. The information is based on the recommendations of Canada's Lower-Risk Cannabis Use Guidelines.

All topic resources →

Get Involved

Join the conversation

The CMA provides grants and supports communities of interest to help physicians tackle issues that matter to the medical professions and health care in Canada.

Have your say

Weigh in on a variety of health policy and professional issues by joining our CMA Member Voice e-Panel. The results of our survey on marijuana informed our August 2016 submission to the federal Task Force on Marijuana Legalization and Regulation.



Related Resources

Cannabis in Canada fact sheet

This series of fact sheets produced by Health Canada outlines the health impacts of cannabis use, the rules surrounding medical access, as well as the risks of impairment on the road and at work.

Framework for cannabis legalization and regulation in Canada

This final report of Health Canada's Task Force on Cannabis Legalization and Regulation summarizes the perspectives gathered through consultation and advises on a new system for regulated access to cannabis in Canada.

Cannabis facts and resources

The Canadian Centre on Substance Use and Addiction's webpage on cannabis has detailed information and resources including a guide on how to talk to youth about

All resources →

Driving meaningful change in health care

Advocating on issues that matter to the profession and their patients

Opioids

The opioid crisis has claimed thousands of lives. We're helping physicians get the information they need for appropriate prescribing and treating of opioid addiction.

+ Learn more



Medicine and Technology

The CMA is leading the conversation about technology's potential to transform Canadian health care — and the questions it raises about privacy and the future of the profession.

+ [Learn more](#)

[Explore all the issues we're working on](#)



[Joule](#) 

CMA Foundation

Providing impactful charitable giving to registered Canadian charities to further excellence in health care

MD Financial Management

The financial services firm exclusively dedicated to the financial well-being of Canada's physicians and their families

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Find a Therapist (City or Postal Code)

Verified by Psychology Today

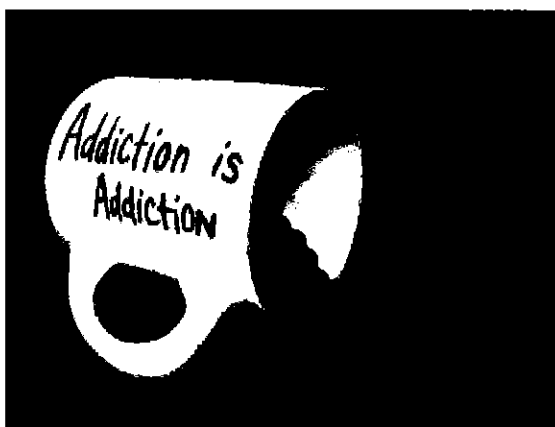


Rubin Khoddam PhD
The Addiction Connection

People, Places, and Things That Trigger Drug Use

A subliminal reason why cravings come seemingly out of nowhere

Posted Mar 30, 2016

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Source: Source: Deviant Art

You remember Pavlov and his dog, right? That old classical conditioning story you learned in Psych 101 where the dog was conditioned to salivate not just in response to food, but to the simple ring of a bell. Just to refresh your memory, Ivan Petrovich Pavlov, a Russian physiologist, noticed that his dog would salivate every time meat powder was placed in the dog's mouth. Soon after, Pavlov began ringing a bell before giving the meat powder and after a few repetitions of sounding the bell before the meat, the dog salivated to the sound of the bell alone. This became known as Classical Conditioning.

Now you might be thinking, what does this have to do with alcoholism, drug addiction, or rehab? Well, truthfully, it has everything to do with it. It makes sense that an alcoholic coming out of rehab would have a reaction to seeing a bottle of whisky, beer, or whatever their drink of choice was. However, as Ludwig and Winkler (1974) suggested, any cue present at the time of intake can become a conditioned stimulus that activates craving.

What that means is that it's not just about seeing your drink of choice or the wine glass you would use, it's also about the people you surrounded yourself with, the area you would drink in, the homes you would buy your drugs from. These are all seemingly innocuous things that could become cues that trigger cravings. They may not be as obvious, but they can be just as powerful. By simply substituting out Pavlov's dog for you and Pavlov's bell for the street you used to buy your drugs from, you will see it is the same thing. The end result remains the same though, which is craving. And with greater cravings comes a greater risk for relapse.

You have to also consider that drug addicts tend to have different physiological responses to these drug-related cues (Laberg et al., 1992). Research has shown that addicts show increased skin conductance responses when presented with pictures related to drug-related content. Even smells can be a cue for a former alcoholic. In one study, the smell of beer elicited a larger response in alcoholics than in social drinkers (Stormark, et al., 1995). So it may not just be the drink you used to have or the people you surrounded yourself with, but the non-visual senses associated with your drug of choice may be as potent at triggering a craving than any visual stimuli.

The truth is that that this is a salient issue for people coming out of rehab who often go back to the same environments, same people, same circumstances. As they say in Alcoholics Anonymous — "if you hang around in the barbershop long enough, you're gonna get a haircut." Although this is a complex issue and speaks to the need to have appropriate resources available, it's important to keep in mind that cravings are a real phenomena that must be acknowledged and addressed. It may mean that the best decision for you is to move into a sober living facility. It may mean that the best decision for you is to reconnect with an old friend who was there for you

Find a Therapist (City or Zip)

Verified by Psychology Today

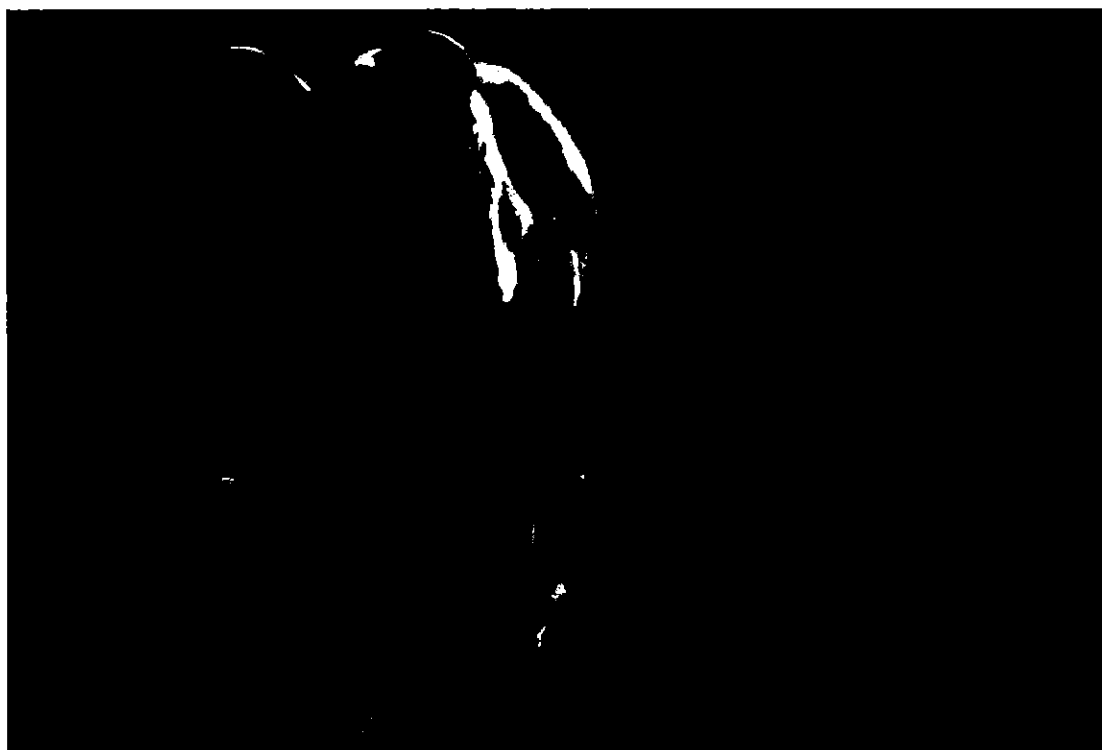


Jordan Gaines Lewis, Ph.D.
Brain Babble

Smells Ring Bells: How Smell Triggers Memories and Emotions

Brain anatomy may explain why some smells conjure vivid memories and emotions.

Posted Jan 12, 2015

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Source: Wikimedia Commons

Guest post by Amanda White

Winter has arrived with a vengeance, blasting us with subzero wind chills and furious snow squalls. Though I don't enjoy shoveling the driveway in these unhospitable conditions, it gives me the chance to savor the piercingly fresh scent of snow. This scent can instantly transport me back in time to one of those rare days in my childhood when there was enough snow to go sledding:

We got the call around 5:30am that school was cancelled. I spent the entire day propelled by that euphoria – climbing up and riding down the sledding hill, building snow forts with the neighbors, and finally collapsing next to the fire, exhausted and content, after a mug of hot chocolate.

That complex emotion and memory can be triggered by a simple sensory cue: the smell of winter air. How do smells trigger such strong emotions and memories?

A number of behavioral studies have demonstrated that smells trigger more vivid emotional memories and are better at inducing that feeling of "being brought back in time" than images. However, few studies since Herz and colleagues' study have explored the relationship between smell and autobiographical memory at the neural level.

Last year, Arshamian and colleagues found evidence to suggest that memories triggered by an odor (like the scent of a rose) were accompanied by greater activity in the limbic system (which includes the hippocampus and amygdala) than memories triggered by the verbal label of that odor (like the word "rose"). The scientists also found that memories evoked by odors were linked to more brain activity in areas associated with visual vividness.



Unfortunately, smells can also be potent triggers of negative emotions, particularly in individuals with posttraumatic stress disorder (PTSD). A decade ago, Vermetten and Bremner conducted 3 clinical case studies of individuals diagnosed with PTSD who experience this phenomenon. One patient frequently experienced disturbing memories, feelings of guilt, and nausea when smelling diesel. These involuntary reactions were so upsetting to him that he actively avoided situations in which he might smell diesel (like driving behind trucks).

On one occasion, the smell of diesel from a neighborhood fire instantly conjured the memory of an accident in Vietnam. In his mind he could vividly see the burning vehicle, doors ajar, and billows of fire and smoke. The patient couldn't save his fellow soldiers that day. The smell of diesel frequently caused him to re-experience the overwhelming feelings of guilt and helplessness that he initially experienced more than 30 years ago.

ARTICLE CONTINUES AFTER ADVERTISEMENT



Source: Wikimedia Commons

Individuals can have widely divergent emotional responses to scents that are identical in chemical composition. There is also evidence to suggest that what you think you're smelling affects your response to an odor. In 2001, Herz and von Clef found that participants rated an identical odor as more pleasant when it was presented with a positive label ("parmesan cheese") rather than a negative label ("vomit").

Local Concerns

Concerns Regarding our Local Community

This proposed facility works against the stated objectives of our ACRD's Agricultural Plan that was introduced in 2011. This plan "sets forth a vision for development of the resources required for the community to produce 40% of the food consumed locally within the next 20 years". The use of this land for marijuana production clearly goes against this stated objective. Additionally, the permanent destruction of this land for the construction of a massive cement building, and the removal of soil and the placement of fill, all serve to undermine this local and provincial objective. ALR land is meant for food production. That is why there are protections in place against this type of use of the land.

In addition, as was referenced in the section about Kackaamin, the ACRD has made an explicit commitment to the principle of reconciliation. Reconciliation is an important cultural shift that is being supported and promoted by all levels of government in Canada. The aim of this commitment is to "revitalize the relationships between Aboriginal peoples and all Canadians". Permitting the construction of a medical marijuana production facility in such close proximity to a First Nations addiction treatment centre runs completely contrary to this principle. We need our government to stand up for this principle in the face of big business and any other factors that seek to undermine it for their own purposes. Anything less would make these stated commitments to reconciliation seem like little more than disingenuous lip service.

This proposed facility has the potential to change our community in drastic and permanent ways. The increase in level of traffic will substantially impact the safety of our rural road that lacks both a sidewalk and street lights. While the ACRD refused to do a traffic impact study, the research we have done demonstrates the risks that will be constituted by this increase. There is substantial data available that shows that our community's most vulnerable, our children, will be put at an increased risk for being victims of a traffic accident. This risk is augmented by the fact that there is a school bus stop directly across the street from the entrance to the proposed facility.

We have included in this section copies of the ACRD's Agricultural Plan and statement on reconciliation, as well as a sample of the research we have done into the impact of the traffic changes. We have also included copies of the articles that were published in our local paper, outlining our community's struggles to oppose the construction of this facility.



Alberni-Clayoquot
Regional District

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WHAT'S NEW

Information Bulletin Invalid Election Beaufort and Cherry Creek

Posted: Jan 11, 2019

Alberni Inlet Trail Delays

Posted: Oct 30, 2018

Blasting at AVRA

another blast 3:00pm January 21

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Reconciliation and the ACRD

[Home](#) > [Governance](#) > [Reconciliation and the ACRD](#)

Reconciliation and the Alberni Clayoquot Regional District

Reconciliation Canada is the vision of Dr. Robert Joseph, Gwawaenuk Tribal Elder. This charitable project is a collaboration between the Indian Residential School Survivors Society (IRSSS) and Tides Canada Initiatives Society (TCI). Reconciliation Canada aims to revitalize the relationships between Aboriginal peoples and all Canadians. This vision is achieved through the hosting of public events and activities that inspire a groundswell of Canadians of all ages, faiths and cultures to share stories of resilience and create a new way forward that builds a stronger Canada for all.

The Truth and Reconciliation Commission of Canada (TRC) was born of the federal Indian Residential Schools Settlement Agreement (IRSSA) in 2008, the largest class-action settlement in Canadian history in which former residential school students took the federal government and the churches to court. Their cases formed the IRSSA, and part of that agreement called for the establishment of the TRC.

The TRC was extended a budget of \$60-million over five years (2008 to 2013) to prepare comprehensive historical reporting on residential schools, gather statements from survivors, fund and host national events in different regions across Canada, along with other key objectives described on their website. Their mandate is to inform all Canadians about what happened, and document the accounts of anyone directly affected by residential schools.

Reconciliation Canada initiatives uphold and advance the healing work of the TRC through a series of events that align with the TRC's national event in September. The aim is to encourage all British Columbians to participate in the process of reconciliation.

Reconciliation Canada held a Community Engagement Workshop within the Alberni Valley on May 15 and 16. It was attended by community leaders, survivors and others impacted by Indian Residential Schools (IRS) from across the province. One of the actions from the workshop was to request all local governments within the Alberni Clayoquot Regional District to declare 2013 as the year of Reconciliation and undertake further actions to inform themselves and their constituents about reconciliation and the impact of IRS within the region.

The Board of Directors of the ACRD adopted the resolution and made a commitment to become further engaged in the process of reconciliation as individuals and as a Board of Directors. Subsequently they invited Dr. Robert Joseph to attend a meeting of local government leaders and senior staff. This was held Monday June 17 in Port Alberni at the meeting facilities at Chances Rm Rock.

The Regional Directors took the cause of reconciliation to the Union of BC Municipalities (UBCM) annual convention in September 2013, with the request that members be made aware of the reconciliation events occurring during the same week in Vancouver and UBCM members make an effort to attend the events. Subsequently UBCM, held a workshop including Dr. Robert Joseph and the ACRD Director representing Huu-ay-aht John Jack and UBCM adopted its own resolution declaring the year of reconciliation.

Meanwhile the regional district has adopted the practice of recognizing the traditional territories where it conducts its meetings and has met with the Port Alberni Friendship Centre and Nuw-Chah-Nulth Tribal Council to discuss ongoing acts toward reconciliation. There are a number of initiatives the board is exploring including the identification of first nations place names within its current and future parks and facilities.

The Regional Board is exploring additional opportunities to become further educated and engaged and will continue the dialogue with its partners within the ACRD.

[RETURN TO TOP](#)



Alberni-Clayoquot
Regional District

[CONTACT](#) [SITEMAP](#) [A TO Z DIRECTORY](#)



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WHAT'S NEW

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Agricultural Plan

[Home](#) > [Planning & Development](#) > [Agriculture](#) > [Alberni Valley Agricultural Plan](#)

In 2011, the ACRD Board of Directors adopted the Alberni Valley Agricultural Plan which sets forth a vision for development of the resources required for the community to produce 40% of the food consumed locally within 20 years. Planning staff, and the consultants hired to formulate the Plan, developed 12 primary goals to achieve this vision with feedback and guidance from the ACRD Agricultural Advisory Committee, various agriculture, government and First Nations stakeholders as well as extensive public consultation. Each of the primary goals includes individual action items which will contribute to achievement of the overall objectives of the Plan.

In 2014, the ACRD contracted a team of Agricultural Support Workers to assist with implementation of the Plan. Under the guidance of the newly established Agricultural Development Committee and the diverse community they represent, the Agricultural Plan Implementation Project has resulted in a stronger and more vibrant farming community, a number of local informational databases and documents, an increased public presence for agriculture, and new micro-projects and funding resources.

Recent local publications include:

2018

- Coastal Addendum to the Alberni Agriculture Plan December 2018
- Coastal Addendum Interim Report: Coastal Addendum to the Alberni Valley Agricultural Plan
- 2017 Year in Review
- Presentation to Select Standing Committee on Agriculture, Fish, Food
- Agricultural Grants and Resources Document
- Grow Local Program - Gardening Tips
- Grow Local Program - Public Survey Summary, 2018
- Emergency Procedures for Agriculture - Workshop Notes, May 2018

2017

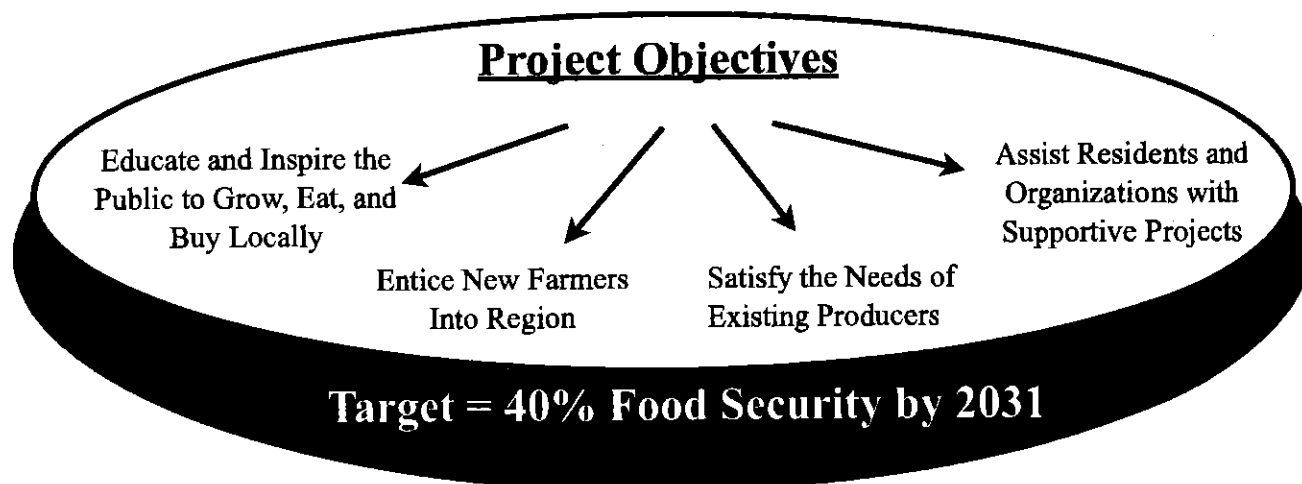
- Waterwise Landscaping: Practices to reduce water usage
- Rainwater Harvesting: Tips for collection and storage of rainwater
- Farm-Scale Rainwater Harvesting & Storage: Techniques to create a more resilient farm water system
- West Coast Grower's Guide 2017: Local food map including producers, community gardens, commercial kitchens, markets, and more
- Alberni Valley Designation: A background report for the ACRD's request for Regional Designation under the Meat Inspection Regulations
- Grow Local Program Survey Results: A summary of responses to a community survey of food production and gardening knowledge
- Grow Local Program: 2017 Calendar of Events
- Alberni Armyworm Report: Summary of the 2017 infestation, includes Ministry infosheets
- Agricultural Plan Implementation Project: Final report, phase 3, February 2017
- ACRD Water for Growth: Final Report October 2017

2016

- Abattoir Feasibility Study: April 2016

Alberni Agricultural Plan Implementation Project

Phase 3 Report - February 22, 2017



Food security is central to a healthy and resilient community and recent food and agricultural initiatives are part of a larger ACRD planning mandate of sustainability. We are well on our way to meeting the 12 goals of the 2011 Alberni Agricultural Plan.

Phase 3 Success Stories

- **2017 Islands Agriculture Show (IAS)**
 - Port Alberni hosts the second largest agricultural trade and conference show in BC
 - Marine production and a First Nations presence highlighted for the first time
 - Opening ceremony touted as the best ever, with eloquent speakers and a variety of delicious local food
 - Three events are sponsored in conjunction with the show; a Young Agrarians' Mixer, a Farm Business Start-up workshop, and a Barkley Sound Aquaculture Tour
- **Abattoir Working Group**
 - 50 producers and stakeholders achieve consensus in a plan to lobby the Provincial Government for supportive changes to the Meat Inspection Regulations
 - A working group is convened, data gathered, and a background audit initiated
 - MLA Scott Fraser brings the issue to the Provincial legislature
- **Growers' Guide**
 - The 2017 edition of the West Coast Growers' Guide is published
 - Significant editorial content offers resources and information to the public
 - The AV News expresses a commitment to annual publication
- **Increase in Producers and Food Related Projects**
 - Producers of micro-greens, big leaf maple syrup, beef, chicken, vegetables, garlic, and seed expand operations in the Alberni Valley and in the District of Tofino
 - Grants are secured by the Hupacasath First Nation, Shelter Society, Alberni Valley Transition Town Society, and Literacy Alberni that will further increase the amount of land in production and/or support food security initiatives in the region

Alberni Agricultural Plan Implementation Project

Phase 3 Report - February 22, 2017

Additional Funding Secured, 2016

Project Funded	Funder	Amount
Growers' Guide	Alberni-Clayoquot Health Network	\$2,000
Young Agrarians Mixer Event, Feb 3	MNP and Bank of Montreal	\$1,000
Barkley Sound Aquaculture Tour	Ministry of Agriculture and BC Shellfish Growers Association	\$4,200
Grow Local Program (over two years)	Investment Agriculture Foundation of BC and various local partners	\$39,305
Abattoir Town Hall Forum	Strategic Outreach Initiative, Growing Forward 2	\$2,200
IAS and Farm Start-up Workshop	Min. of Ag, IAS, and various	\$71,000
Agricultural Support	Ag. Support Workers, in-kind	\$7160
Total		\$126,865

Next Steps, Growing Forward...

- **Abattoir Initiative**
 - Assist Alberni Farmers' Institute to achieve regulatory changes that will stimulate production, increase viability for livestock producers, and improve animal welfare
- **Agricultural Use of Water Project**
 - Assist to secure a safe, affordable, and accessible water supply for producers, one of their top priorities in 2014. Funded in part by the Real Estate Foundation of BC
- **Coastal Addendum to Agricultural Plan**
 - Focus on First Nation Communities, supports for marine production/marketing, and urban/non-traditional agriculture on the coastal land base
- **Grow Local Program**
 - Increase horticultural knowledge and food production within the Regional District by offering garden tours, consultation sessions, hands on learning opportunities for adults and school children, horticultural demonstration events, and a public awareness campaign. Co-managed by Alberni Valley Transition Towns Society
- **Regional Food and Agriculture Website**
 - Team up with the City of Port Alberni, who is requesting partnership in a Local Food Map and Resource Website project to provide a platform and umbrella for local food resources and initiatives, and 'house' them in an accessible and permanent location
- **Supporting Other Community Initiatives**
 - Support other organizations, such as the Alberni Farmers' Institute and Alberni Valley Transition Towns Society, in projects like a series of educational events for producers, a SD70 healthy food and garden policy, and a food recovery/waste reduction project.
 - Support ongoing annual events such as the Alberni Fall Fair and Family Farm Day

Alberni Valley residents pan pot proposal for ALR

Beaver Creek neighbours say cement medical cannabis facility not welcome

ELENA RARDON / Jan. 29, 2019 6:00 a.m. / [LOCAL NEWS](#) / [NEWS](#)

Proponents of an industrial medical marijuana production facility in Beaver Creek met with neighbours last week, hoping to start a “two-way dialogue” between facility owners and Beaver Creek residents.

They did not receive the warm welcome they may have hoped for, as more than 20 neighbours showed up to express their disapproval.

The public information session on Tuesday, Jan. 22 followed a Jan. 12 press release, where Premium Cannabis Meds BC announced a state-of-the-art, high security medical marijuana production facility being proposed for a lot on Beaver Creek Road.

The facility will be a 57,000-square-foot medical marijuana research and production facility that represents an investment of \$25 million, and the release suggests it will become “one of the region’s largest employers,” with 200-300 jobs. Owner Moni Sadeghi further confirmed on Tuesday that Premium Cannabis Meds BC will be hiring local wherever possible.

The facility will be “totally self-contained and enclosed” with no public access, storefront availability or recreational use of the product. Proponents state that the facility will comply with the stringent requirements of Health Canada and will meet all environmental requirements of the Alberni-Clayoquot Regional District (ACRD).

But for neighbours, the proposal is a land use issue rather than a drug use issue.

The lot is located within the Agricultural Land Reserve (ALR) and, according to Sadeghi, was purchased with the understanding that the ACRD cannot prohibit cannabis production in the ALR. A building permit for the project had already been prepared—but not approved—in July 2018, when new policies came down from the provincial government—including an outright moratorium on cement-based, industrial-style cannabis production facilities in the ALR.

READ: Alberni-Clayoquot Regional District considers cannabis use

Now, Premium Cannabis Meds BC is seeking a special use permit from the ACRD in order to proceed with construction. The plant is already under consideration for approval under the Health Canada application process.

Neighbours last week expressed their opinion that the facility is “out of scale” with the rest of the neighbourhood, with concerns around odour, water quality, lights, sound and traffic from the 24-hour shift rotation. Although the proposal promises to bring jobs to the Alberni Valley, Beaver Creek residents are concerned about the long-term environmental effects on the neighbourhood.

“The interests and needs for an industrial production facility are inconsistent with the needs for a rural neighbourhood,” said one neighbour.

ALR land, pointed out one neighbour, is also cheaper and more expansive than industrial land. She is concerned that the proponents are taking advantage of a tax structure meant to benefit families and local farmers.

Read more below

“They’re following the letter of the law while exploiting the spirit of the law,” she said. “The moratorium was put in place for exactly the situation we are facing right now.”

As well as being located in a rural residential area, the facility is also located across the street from Kackaamin Family Development Centre. Kackaamin (pronounced "cots-common") is an addiction treatment centre with a focus on family healing and recovery. Kackaamin employs certified addiction counsellors, as well as a full-time school teacher and teacher's aide, and offers a toddler daycare. Kackaamin is choosing not to release a statement at this point in the development.

During the meeting on Tuesday, one neighbour said she was concerned about the effect on property values. Although Sadeghi said the proposal will have a positive effect on property value, due to a demand for housing, the neighbour disagreed.

"There are really no statistics to reflect the property values," she said. "My concern is being forced to sell my property to one of your employees...and then having the property values rise."

Sadeghi pointed out that "having a bunch of drug addicts" nearby has not devalued the property. Several Kackaamin employees left the room following this comment.

In a press release, Premium Cannabis Meds BC has stated that Kackaamin is located "a considerable distance" from the facility, and that "there is absolutely no access to the medical marijuana site by the public."

In addition, Premium Cannabis Meds BC has stated that the facility will meet all Health Canada requirements with regards to smell and noise. The building will also meet all ACRD development standards and requirements, with a 100 ft. setback from the nearest water source. The facility will use the Beaver Creek water system—equivalent to eight houses.

If the special use permit is not approved by the ACRD, Premium Cannabis Meds BC still has the ability to proceed with medical marijuana grown in-ground or in a greenhouse. According to Sadeghi, this would cause more issues for neighbours than a cement-based facility would.

"We prefer to do it in sealed buildings because it has control over smell, security, air quality," she explained. "We do have the option of doing the same facility in a greenhouse and we don't have to go through any of this."

Developers compared their facility to Tilray Inc., a 60,000 square-foot research and production facility that was constructed in Nanaimo in 2014. The difference, pointed out neighbours, is that Tilray is located in Nanaimo's Duke Point—surrounded by industry, and not on ALR land.

READ: Nanaimo's Tilray Inc. briefly the world's largest cannabis company

One neighbour, James Edwards, said he believes an industrial manufacturing facility does not belong on agricultural land in the middle of a residential zone, producing a controlled substance next to a treatment facility.

"Port Alberni...is a really great place," he said. "And it is very business friendly. The reality is, you've picked a bad spot. I can list half a dozen properties within Port Alberni that are more favourable to this type of industrial land use. You've picked a location that is really not suited for the type of use that you're trying."

Some neighbours have started a petition, asking that the owners of 7827 Beaver Creek Road not be granted the special non-farming use permit that they have requested. This petition is available for signing at Beaver Creek Market, Full of Beans Play Cafe, Healthy Habits and Kackaamin.

Several ACRD staff members were at the meeting on Tuesday to listen to public input. A report will be passed on to an Agricultural Advisory Committee meeting, then to a meeting of the ACRD board, where a final decision will be made. No date has been set for these meetings yet.

elena.rardon@albernivalleynews.com

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Application for Beaver Creek cannabis facility passed on to province

Alberni-Clayoquot Regional District chooses not to support or deny application

ELENA RARDON / Feb. 28, 2019 6:00 a.m. / LOCAL NEWS / NEWS

The Alberni-Clayoquot Regional District board has chosen neither to support nor deny an application for a controversial medical marijuana facility proposed for Beaver Creek. Instead, the ACRD on Wednesday, Feb. 27 decided to pass the application on to the province's Agricultural Land Commission for a decision.

The applicant, Moni Sadeghi, is asking for a non-farm use exemption for a plot of land in the Agricultural Land Reserve (ALR) on Beaver Creek Road in order to construct a 57,000-square foot medical marijuana research and production facility.

The ACRD was in the process of issuing a building permit for this development in July 2018, when new rules came down from the province, including an outright moratorium on cement-based, industrial style cannabis production facilities in the ALR.

Neighbours in Beaver Creek have expressed opposition to the project, and many of them were in the board room on Wednesday when the issue came forward.

AD: Alberni Valley residents pan pot proposal for ALR

Beaver Creek resident Carolyn Thibodeau, representing a group of concerned neighbours, opened the meeting with a delegation explaining that the proposed facility does not match the location. The area, she pointed out, includes a "dense cluster" of houses along a narrow street with no sidewalk or streetlights and is not suited for industry.

Thibodeau also brought forward a petition signed by 480 residents expressing opposition to the project.

"We neighbours are not ignorant of the facts surrounding this proposal, or the laws in place to protect our community and our ALR lands," said Thibodeau. "Nor are we willing to sit back and be treated as mere collateral damage as this application moves forward."

She urged the ACRD to avoid setting a precedent for the rest of the province that will "chip away" at protected ALR lands.

Although a meeting of the ACRD's Agricultural Advisory Committee last week recommended that the board deny the application, staff's recommendation on Wednesday was to forward the application to the ALC, without support or denial. The board passed this motion, adding a note to the ALC that the building permit was applied for before the new rules were in place and that the proposal met all standards within the ACRD's bylaws.

Beaver Creek director John McNabb said on Wednesday that it is the "most difficult" application he has had to deal with during his tenure with the ACRD board so far.

"On one side of the coin, we've got a neighbourhood that is particularly upset with the proposal," he said. "On the other side of the coin there's an applicant that...has made

Board chair John Jack said he supported the project because of the economic gain for the whole region, but agreed to pass the decision on to the ALC on Wednesday.

"This isn't on us," he said. "This on the commission."

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significant investment in the plans, the engineering.”

Tofino mayor and director Josie Osborne said that the ACRD board has been placed in an “untenable position” due to the ALC’s decisions.

“It places us in a position of balancing neighbourhood interests with a valid investment that’s been made by a person who wants to undertake a development,” she said. “But fundamentally, this is still a land use issue. I think that this one has really got to be one for the ALC to wear a little bit.”

She suggested that the ACRD review its zoning bylaws for recreational and medical cannabis production after a decision is made.

Roat Lake director Penny Cote, who also sits on the Agricultural Advisory Committee, said the ACRD needs an area for industrial opportunities, and suggested designating some area for industrial use.

Director Alan McCarthy of the Yuułuʔiłʔatḥ Government was the only one who voted against the motion, referencing Kackaamin, the addiction treatment facility located directly across the street from the proposed facility.

“There are triggers out there,” he explained. “Sights, sound, smell. I firmly believe that it’s important that we hear what has been said. And I believe that if we’ve got an infrastructure with people that are coming from all over B.C. to participate [treatment] and we’ve got something across the street that does have triggers, it affects them. And we’re looking at their future.”

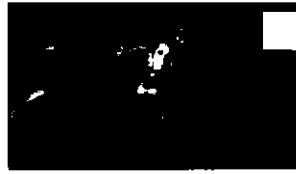
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Pot problem: Island homeowners say grow-op stench is devaluing properties

CTV Vancouver

Published Saturday, March 21, 2015 4:04PM PDT

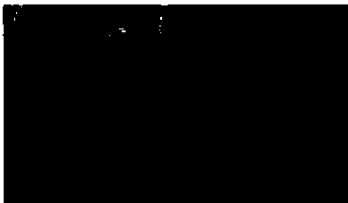
Homeowners in a Vancouver Island community are raising a stink about a medical marijuana grow operation they say is driving down their property values.

Shawnigan Lake resident Neil Haley lives just 30 metres away from the licensed grow-op, which moved into the community just under two years ago.

Haley says the stench that emanates from the facility often infiltrates his family's home.

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PHOTOS



Shawnigan Lake, B.C. resident Neil Haley looks past his home's backyard to a medical marijuana grow-op facility 30 metres away. March 20, 2015. (CTV Vancouver Island)

"The smell, at times, is overwhelming. It gets on our clothes," he said. "Our bedrooms are right there as well. It goes through the bedroom window, we can't have that open."

Down the road, neighbour Paddy Harris says even though she supports medical marijuana operations, she doesn't think they should set up shop in residential neighbourhoods.

Both Haley and Harris also say the lingering smell of pot has negatively affected the property value of their homes.

"Well, I'm certain it's devalued it considerably, because there's a tremendous amount of smell coming from it," Harris said. "Plus, a huge amount of cars and vehicles coming in and out."

The two neighbours as well as six others recently appealed their property assessments to a review panel and won.

"[They] came back with a decision that our property value should be dropped by 20 per cent," Haley said.

Sonia Furstenau, director of Shawnigan Lake Area, said she's worried about possible impacts the grow-op could have on regional taxes.

"Our tax revenue comes from assessments on properties, so that means a decrease in our revenues for Shawnigan Lake, and for the CVRD (Cowichan Valley Regional District) generally," she said.

The facility's owner told CTV News he's aware of neighbours' complaints and has taken steps to address the issue.

That includes installing insulation around fans to reduce the impact of noise, as well as a top-grade air filter to lessen the marijuana smell.

Haley said the upgrades have improved the situation "a little bit," but he can still smell the noxious fumes at times.

He said he and his group have notified the Federal Government of their concerns since the operation is legal.

He's hoping Ottawa will take steps to force grow-op facilities to move out of residential neighbourhoods.

With a report from CTV Vancouver Island's Robert Buffam

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these are just your typical NIMBY's . they complain about everything they can, I'm sure if their neighbor was growing tomatoes they would find a way to complain about it.

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This is likely one of the reasons why MJ was and should be outlawed.

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I agree, these grow-ops have no place in residential neighborhoods.

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Just insulate the house, and put carbon filter in growop's chimney... Just saying there are illegal residential growops in pratty much every neighborhood of every city... neighbors have no idea

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Marijuana growers should be moved to Industrial areas

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rata

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Clearly the zoning in that town permits everything and anything including light-industry.

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Economics

Community Concerns Regarding Long Term Economic Impact/Economic Competition

The legalization of both medical and recreational cannabis has spurred the development of a new sector of our economy, as cannabis stocks have been growing at an exceptional rate and investors of all sizes have flooded into this new area of the market. However, the experiences of Washington and Colorado after the legalization of cannabis provides a cautionary tale. These states saw the price of cannabis drop by over 2/3 in the first few years after legalization. In fact a journalist that covers the cannabis industry for Forbes magazine has likened the production facilities that are comparable to the one being proposed for this location to "state of the art dinosaurs". As Latin America moves to legalize marijuana and Columbia prepares to become a leading medical marijuana producer and exporter, it is becoming increasingly unrealistic to assume that Canada will achieve the level international market dominance that will be necessary to ensure the survival of the vast number of industrial production facilities that are currently being planned and constructed. To permit the construction of a massive facility such as this on ALR land that could very quickly and easily be bought out and/or vacated is simply imprudent, as the risks associated with this new and volatile industry are constantly evolving and impossible to predict.

However, the inclination to invest the smallest amount of money possible in an effort to achieve the biggest returns is not new and will most likely never change. This property was purchased at a much lesser cost than a comparable property would have been in an area that is properly zoned and prepared to support an industrial facility. Moreover, if this facility is permitted to be built it will benefit from a tax structure that was created for families and farmers, not big businesses. Granting this exemption would serve to create an uneven playing field between investors who are looking to establish their facilities in appropriate, non-ALR zones and pay the appropriate level of taxes, and those that are seeking to circumvent local, and/or ALC rules. This application will serve as a precedent and will determine the extent to which future investors and developers see value and potential in purchasing agricultural land with the intention of displacing food production for the sake of industrial development.

Please review the following articles that highlight our concerns regarding the economic volatility of this industry, as they speak well to our concerns that our community is at risk of being devastated and forever altered for the sake of providing an unfair economic advantage to a developer that has demonstrated an unwillingness to respect the rule or law or demonstrate an understanding of social responsibility.

58,554 views | Apr 25, 2018, 11:30am

Cannabis Cultivation Will Be A Race To The Bottom

**Kris Krane** Contributor ⓘ*I write about the cannabis industry.*

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Investing in large-scale cannabis cultivation today is like playing the end of alcohol prohibition by buying a hop farm.



Employees work in the Mother Room at the Canopy Growth Corp. facility in Smith Falls, Ontario, Canada, on Tuesday, Dec. 19, 2017. Canadian medical marijuana is setting the stage to go global. The country's emerging legal producers have a chance to seize opportunities in other countries that could make them worldwide leaders, according to Linton. Photographer: Chris Roussakis/Bloomberg

The current “green rush” has brought with it an intense focus on large-scale cannabis cultivation. Across the United States and around the globe, we routinely hear stories of companies building larger and larger cannabis farms. In Arizona,

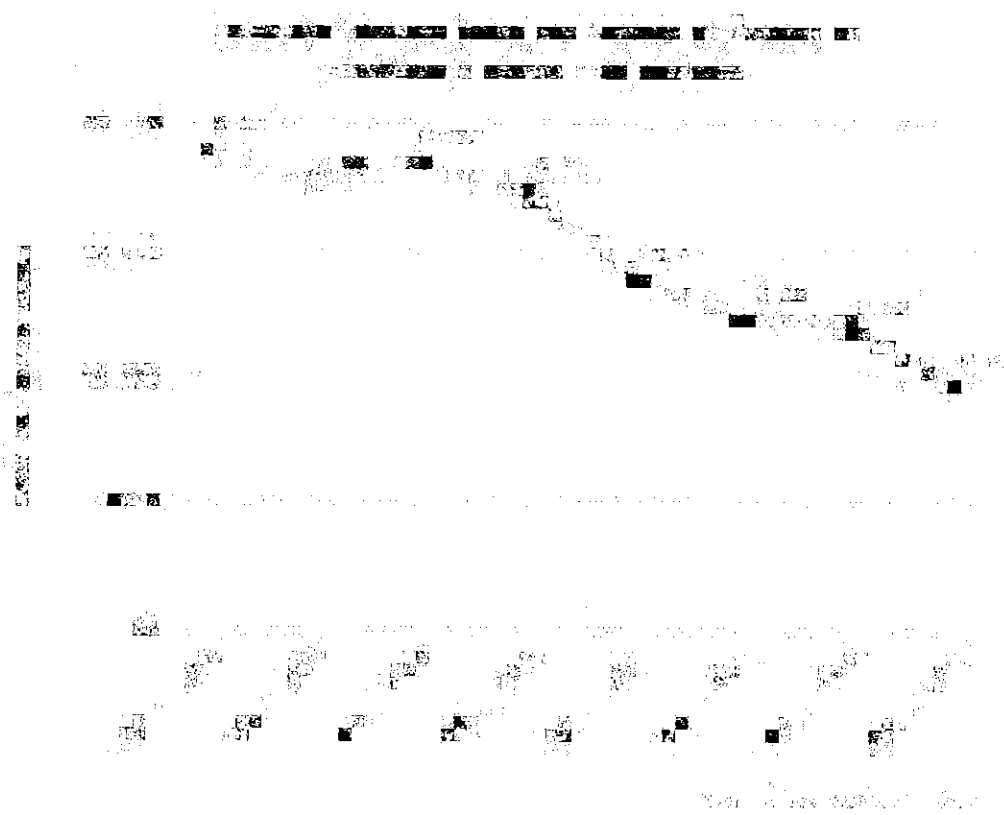
Colorado, California, and Oregon, cannabis is being cultivated in greenhouses in excess of 250,000 sq. ft. that are capable of yielding more than 50,000 pounds of flower. While large-scale Canadian producers are building greenhouses in the millions of square feet and building similar-sized facilities in Europe, Australia, and elsewhere.

In the United States, cultivation licenses are often viewed as the most valuable in the highly competitive application processes that most states use to determine who is allowed to cultivate and dispense in their states. This value is partly derived from the fact many populous states initially only grant a limited number of cultivation licenses. For example, Pennsylvania, with nearly 13 million people, only granted 13 licenses; Florida, with a population over 20 million, granted 7; while Ohio, with more than 11 million people, granted 12; and New York, with a population of nearly 20 million people, granted only 5 before recently expanding to 10. For context, Colorado has roughly 1,400 licensed cultivators for a population of just 5.5 million people. Competition for these limited permits is fierce, and those companies fortunate enough to win one see sky-high values attached to these licenses even before they become operational. In Florida, a coveted cultivation/dispensary license sold for \$40 million before the company had seen a dime in revenue. Similarly, a pre-revenue New York license sold for \$26 million.

Indeed, in states with limited cultivation licenses, those companies that hold them can see large returns on their investments in the near term. With artificially limited competition due to restricted license classes, cultivators in many states are able to control pricing and sell their product in large volume. Many of these cultivators grow their product in state-of-the-art indoor warehouses with clean-room environments that resemble pharmaceutical production facilities more than traditional commercial agriculture.

But is this trend sustainable? Or are these companies setting themselves up for long-term failure? As mentioned in my previous column "Are Canada's Cannabis Companies Overextended?", we're already seeing a trend towards large-scale greenhouse and outdoor production, which is driving prices down in states that

do not have strict limits on the number of licenses they grant. For example, the average wholesale cost of cannabis in Colorado has dropped from nearly \$3,500 per pound at the start of legalization in 2013 to roughly \$1,012 a pound on April 1, according to the Colorado Department of Revenue. In Oregon, where the state ramped up licensing after early product shortages, wholesale marijuana trim (after harvest, the cannabis is trimmed of its leaves; those leftover leaves are referred to as the "trim" and can be used to produce cannabis products) is now selling for as low as \$50 per pound, which is reportedly driving some cultivators in the state out of business.



The average market rate per pound of flower in Colorado's adult-use market has dropped roughly 37% in the last two years. 4FRONT HOLDINGS

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This trend will only continue when the federal government's 80-year experiment with cannabis prohibition finally comes to an end. Today the cannabis industry is defined by individual state markets, where no product can cross state lines due to laws prohibiting interstate commerce of a federally illegal product. But when prohibition eventually ends, then interstate commerce will open and businesses will be allowed to import their cannabis from any state in the country. When this happens, we can expect that large-scale outdoor and greenhouse production will dominate the market as cannabis commodifies. Many of the same environmental conditions that make northern California ideal for the production of grapes for wine will also make it ideal for large-scale commercial cannabis production. The largest greenhouse complex in the country, estimated at approximately 300 acres (approximately 13 million sq. ft.) of greenhouse space, is located in Wilcox, Ariz., because the desert conditions make it ideal to control humidity in a greenhouse setting, something that adds a huge additional cost to greenhouse operators on the East Coast. These same conditions will apply to cannabis.

With the end of prohibition will also come potential access to international imports. The company that operated the aforementioned greenhouse in Arizona, which focused on winter month cucumber and tomato production, was recently put out of business in large part due to the proliferation of large-scale commercial greenhouses in Mexico, where labor and operating costs are substantially lower. Mexico is already making moves to allow the production of medical cannabis. Meanwhile, Colombia has begun licensing cannabis cultivators for export, and has stated its intention to be the largest exporter of cannabis in the Western Hemisphere. Once federal prohibition has come to an end in the United States, producers in these countries will look to import into the largest market in the world. The same market factors that have decimated the domestic production market for greenhouse-produced vegetables and cut flowers will likely eventually be at play in the cannabis market, as well.

Investing in large-scale cannabis cultivation today is like playing the end of alcohol prohibition by buying a hop farm. 🐦 What investors should be more focused on is controlling brands and the distribution points for those brands.

Simply put, in the long term it will be simply untenable for large-scale indoor cannabis producers in the United States and Canada to survive. Even greenhouse producers in most regions of the country will struggle to compete with low-cost production on the west coast and Latin America. For those companies currently spending millions of dollars building out state-of-the-art, high-tech, clean-room cultivation facilities across Pennsylvania, New York, Florida, Massachusetts, and elsewhere in the United States, be warned, you may find yourselves stuck with a beautiful state-of-the-art dinosaur.

I am co-founder and president of 4Front, a leading investment and operations firm in the legal cannabis industry. I've had the opportunity to work on regulatory and business strategy with cannabis business operators across the United States and globally, and am a frequent sp... MORE

Kris Krane is co-founder of 4Front, a leading investment and management firm in the cannabis industry. Follow 4Front on Twitter or subscribe to its newsletter.

[here \(https://mjbizdaily.com/washington-states-delayed-marijuana-traceability-system-causes-diversion-concerns/\)](https://mjbizdaily.com/washington-states-delayed-marijuana-traceability-system-causes-diversion-concerns/) to read Part I.)

This story has been updated from an earlier version.)

Washington state's cannabis supply continues to swell, flooding the market and causing both wholesale and retail prices to sink.

After the October 2017 outdoor harvest – the state's largest to date – Jim MacRae, owner of cannabis-focused business intelligence firm Straight Line Analytics in Seattle, says the market will have a 60% larger supply than in 2016.

With an ounce of legal marijuana flower selling for as low as \$40 in the state's retail stores, both shop owners and producers are seeking changes to Washington's cannabis regulations.

Lawmakers and industry leaders are discussing ways to correct the market, including:

Reducing the amount of square footage growers are allowed.

Ending license transfers so when a business fails, its permit is no longer on the market.

Putting a moratorium on the approval of new licenses.



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One thing most in the industry agree on: There's too much cannabis production.

"Right now we have about three times more product than we have retail sales," said grower Steve Fuhr, who owns Toucan Farms in Shelton.

'Bloodbath of prices'

Fuhr said he's struggling to get more than \$1 a gram (\$454 a pound) wholesale for the cannabis he grows.

"It's a bloodbath of prices," he added.

MacRae tallied the number of plants in spring to arrive at his estimate of a 60% larger supply.

"It's the biggest harvest we've ever seen in the state," he said.

"It's unlikely that all of that is going to sell, and if it does, it's going to sell at even further depressed prices."

MacRae expects about two-thirds of the harvest will have difficulty selling through the regulated system.

Jeremy Moberg – president of the Washington Sungrowers Industry Association – wonders if prices have gotten so low that retail businesses are cannibalizing themselves.

"You can drive a mile from the Washington State Liquor and Cannabis Board and buy a pretty good-looking ounce for \$40," added Moberg, also CEO of Cannasol Farms, a producer/processor company in Okanogan County.

"Half of the black-market price. That's how bad it is."

Logan Bowers, co-owner of Seattle retail shop Hashtag Cannabis, said his most expensive ounce sells for \$420.

He also sells ounces at around \$100 with tax and expects to begin selling ounces that maintain his quality standards for \$75 in the next month or so.

Bowers said he's heard of a few retailers selling ounces for as low as \$40.

But the quality is awfully suspect at that price," he said.

Washington's wholesale oil market is also impacted by the cannabis glut.

Much of the flower from the outdoor harvest isn't pretty enough to be displayed on a store shelf, so it goes into the oil market.

Growers selling their trim for oil production have "seen that market crater," Bowers said.

That's led to lower prices for pre-rolls, for example, because processors are making joints from the flower they'd normally sell for oil production.

Diversion practices

When the price of a legal ounce of cannabis sells for less than a black-market ounce, the potential for diversion is no longer a risk, it's a certainty, said Moberg.

Retail stores selling at the \$40-\$50-per-ounce price are moving 400-500 units a day to customers around Washington, Moberg added.

"This is clearly for diversion," he said. "Is the store breaking the law? Probably not.

"The rule about looping is vague here, and there's no enforcement."

"Looping" is where a customer buys multiple ounces of cannabis in one day through repeated trips to the same store.

Colorado retail chain Sweet Leaf has been accused of allowing the looping practice (<https://mjbizdaily.com/sweet-leaf-raids-highlight-need-clarity-colorados-marijuana-enforcement-regulations/>).

Bowers said some industry insiders put a positive spin on the low prices by pointing out the state still receives tax revenue.

But it's easy to make money selling those ounces across the border in a prohibition state, he added.

Neighboring Idaho, for example, doesn't allow the sale of either cannabis recreational or medical cannabis.

"It's important if we want our system to be successful that we be respectful of our neighbors," Bowers said.

What can be done?

License holders understandably would like to see failing businesses taken off the market rather than have them gobbled up by a more successful company.

Such action would decrease competition and allow the existing businesses a larger market share.

Moberg believes this is the best solution for the supply problem.

"I'm going out of business competing against people going out of business," he said.

With prices so low, a rash of companies are going belly-up.

But before closing their doors, owners put their licenses up for sale, which likely will fetch a hefty profit from a more successful business, according to Moberg.

The new owners typically have more business savvy and deeper pockets, Moberg added, so they'll likely end up adding to Washington's marijuana surplus.

Meanwhile, some business owners have called for the state to lower canopy limits and consider reducing the cultivation facility size.

And, according to Bowers, the state's cannabis board has begun looking into that exact issue.

Under the current regulations, each large-scale cultivation license (tier 3) is allowed 30,000 square feet of canopy and each company can own up to three licenses.

That's 90,000 square feet of canopy, which "grows a lot of pot," Bowers said. "You only need about 270,000 square feet to grow for the entire state."

There are currently about 1,100 growers in Washington.

"At the current limits that are licensed, we could grow enough (cannabis) to service California, Oregon and Washington combined," Bowers added.

Moberg thinks reducing the canopy size is the wrong answer.

"Particularly when you haven't done everything in your toolbelt to take care of the problem," Moberg said. "The winners and losers all get hurt."

Another looming problem: The state still has 77 outstanding production licenses from the original round of 2013 applications.

"Let's stop adding any more," Moberg said.

Bart Schaneman can be reached at barts@mjbizdaily.com

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Not for the faint of heart': Why getting a marijuana producer licence is a long shot

~~Health Canada faces a 'massively steep learning curve' in regulating the nascent legal industry~~

The regulatory gates to Canada's legal marijuana regime are open, but only a crack.

~~Health Canada has received 1,000 applications~~ for licences to grow or sell medical cannabis as of March 31. Only 43 licences have been approved so far, representing just ~~4.3 per cent~~ of the total applications.

The seven-stage application process to obtain a licence is "not for the faint of heart," said Eileen McMahon, who chairs the food and drug regulatory practice at Torys LLP. Compared to other highly regulated industries like pharmaceuticals or medical devices, McMahon said, ~~the rate of regulatory default in Canada's legal marijuana industry is remarkably high so far.~~

"I mean, these are very difficult regulatory submissions," McMahon said. "Lots of complexity, lots of information required, and you could see how easy it would be to get it wrong."

Of the 1,630 applications to Health Canada, 841 have been returned for being incomplete, and 265 were refused outright. Sixty-nine applications were withdrawn by the applicants, and 414 are still in progress. Some applications could be counted towards the total multiple times if they were resubmitted, according to Health Canada.

"The entire application process can take more than a year to complete," advises [a Health Canada web page](#) that outlines the process.

No guarantees

Applying for a licence from Health Canada is time-consuming, said one person who is reapplying for a licence from the federal health authority after being rejected the first time around. The applicant described a ~~potentially costly process with no guarantee of favourable results.~~ CBC News has agreed not to identify the applicant by name.

- How specialty clinics cash in on legal marijuana prescriptions
- Entrepreneurs hope to take bite of Canada's marijuana edibles market
- While pot fans light up, Bay Street plans for profits

The applicant joined a group applying for a licence under the government's previous regulations in 2013. The would-be marijuana producers spent about \$75,000 on consultants and lawyers for that first application, he said, plus hundreds of thousands of dollars more to retrofit a facility for growing.

2. The application was rather straightforward. We didn't really think much of it at the time," the applicant said.

The group submitted an application in October 2013 and received an application number, then started the process of answering Health Canada's questions about specific information included in their submission. Those questions included a focus on the applicants' professional backgrounds.

Try, try again

~~By April 2014, Health Canada had an answer for the group: rejection. The federal health authority said the group's proposed marijuana grow site was too close to nearby homes, which came as a surprise to the applicant and his colleagues.~~

"The reason that we got rejected was not in the guidance document nor application," he said.

Ultimately, the applicant's group decided that appealing the rejection would be too expensive, so they started a new application under the current regulations, with a new proposed site. The new application was 800 pages long, the applicant said.

'This is supposed to be serious'

Despite the rejection, the applicant said he understands why Health Canada is setting an extremely high bar for applicants.

~~"I think the reason we designed this way [is] to make sure that only a certain type of group [is] selected — those who can handle this," he said.~~

The applicant believes Health Canada is screening prospective producers for corporate and regulatory experience.

"Because this is supposed to be serious," he said. "It's a controlled substance, and it's a product that you're going to consume."

Asked about why it's so difficult to successfully apply for a licence, Health Canada highlighted its high standards.

"Applications are assessed on a case-by-case basis and all personnel listed on the application must pass a stringent security clearance process," said Health Canada spokesperson Cindy Souffront in an emailed statement.

"In addition, each application must demonstrate how the security measures, good production practices, and record keeping at their production facility will comply with the requirements listed in the regulations, which is currently verified during a pre-licence inspection by Health Canada."

'steep learning curve'

Processing hundreds of applications has been "a massively steep learning curve" for Health Canada's Office of Medical Cannabis, said Trina Fraser, a partner at business law firm Brazeau Seller LLP, who has worked on dozens of licence applications.

Fraser said the Office of Medical Cannabis has faced a great deal of staff turnover in recent years, with some staff getting pulled off the medical marijuana file to focus on legalization.

"There's just been a lot of loss of institutional knowledge, I think, when all that turnover happens," she said.

Fraser said most of her current clients are waiting for Health Canada to finish reviewing their applications.

"It seems to be moving very slowly," she said. "Until they get more trained reviewers online who can pick those applications up faster, that's where most people are stuck."

The Office of Medical Cannabis employed 74 people in fiscal year 2016-17, according to Health Canada. Twenty-six of those employees worked full time reviewing applications for licences to produce and sell medical marijuana.

'It all makes sense'

According to the failed applicant whose group is in the process of reapplying, Health Canada has significantly improved its communications with licence applicants, and has clarified its expectations for applications.

"To be honest with you, it all makes sense," he said. "As long as it's written clearly, it makes total sense."

Anyone who's considering applying for a licence, though, should beware of what the applicant described as "charlatan consultants" working in the field. He cited one person who was recommended to his group as a security consultant, but proved to be "a total fool."

"And he's not the only one, and I think that there's a lot of money grabbers out there that are claiming to have experience in this, and they don't," warned the applicant.

3,389 views | Mar 20, 2019, 03:10pm

Cannabis Stocks Are Full Of Hot Air

**Rob Koyfman** Contributor ①

Investing

CEO of Koyfin and former Wall St analyst

Cannabis plants grow at a craft grow operation in British Columbia, Canada. Photographer: Ben Nelms/Bloomberg © 2018 BLOOMBERG FINANCE LP

In the 1967 movie "The Graduate," a young Dustin Hoffman is unsure what career to pursue and advised to go into the plastics business because "there's a great future in plastics." If the movie were remade today, the advice would likely be "there's a great future in cannabis".

Use of cannabis is growing quickly in the US and more than half the states allow recreational or medicinal marijuana use. According to BDS Analytics, global sales of cannabis will expand to \$146.4 billion in 2025 from \$16.9 billion in 2019,

a growth rate of 35% per year. With the sector poised for such strong growth, you might think the cannabis stocks are a great buy.

They are not. Incorporating even the most optimistic assumptions about future growth, the industry is trading at nosebleed valuations. The total market cap of marijuana stocks in the US and Canada is about \$50 billion, despite sales of only \$580 million. That translates to a price/sales multiple of 85x. To put that in perspective, the average S&P 500 tech stock trades at a price/sales multiple of 4x. Highly valued and hyper growth tech stocks like Zscaler (ZS), Okta (OKTA) and Atlassian (TEAM) trade at 20 - 30x price/sales. None of the cannabis stocks have positive earnings or EBITDA.

Ticker	Name	Market Cap	Revenue (LYM)	P/S (LYM)	EBITDA (LYM)	Cash & ST Investments (Qtr)	Debt / Equity (Qtr)	Short Interest %
• CGC	Canopy Growth Corp	10.57B	113.66M	93.0x	-304.14M	3.60B	10.66x	-
• TLRY	Tilray Inc	6.95B	32.71M	206.4x	-34.33M	118.96M	9.70x	4.2%
• GWPH	GW Pharma ADR	5.18B	-	268.3x	-293.94M	591.50M	-	10.2%
• ACB	Aurora Cannabis Inc	4.42B	41.96M	-	-51.58M	112.81M	13.00x	-
• CRON	Cronos Group Inc	3.45B	9.06M	380.9x	-3.92M	32.09M	2.58x	-
• APHICF	Aphria Inc	2.11B	23.71M	-	-5.72M	240.06M	3.83x	-
• GTBI	Green Thumb Industries Inc	1.97B	47.89M	41.1x	-9.31M	149.77M	2.75x	-
• MRMD	Marimed Inc	791.82M	9.99M	68.0x	-12.92M	6.03M	33.37x	0.3%
• FIRE.CA	The Supreme Cannabis Comp.	632.09M	12.43M	42.2x	-5.53M	31.20M	21.04x	-

Cannabis stocks by market cap and sales. Interactive dashboard [KOYFIN](#)

Things have gotten so frothy that even the company CEOs are warning about the frenzy. In a February 2019 interview with Yahoo Finance, co-founder and CEO of Canopy Growth, Bruce Linton had a sobering assessment of the industry's valuation.

“ I think it's entirely true that cannabis has become frothy and I'm not saying that necessarily specifically about our [stock] but you could list 85 or 90 names that are probably publicly listed that I as the operator of one of the first and most dominant [companies] have never heard of those companies.

The shifting regulatory and tax landscape also adds to the uncertainty in the sector, with further concerns about how much taxes will eat into profits. In California for example, legal cannabis sales in 2018 were \$3b, which is \$0.5b lower than in 2017, as many consumers bought cheaper cannabis on the black market where taxes don't add to the cost. Across the country, varying state

regulations have led to wildly different prices. A pound of marijuana costs \$1,183 in California (or \$74 per ounce for those that buy in smaller lots), while in Illinois it costs \$3,044.

The stretched valuations and regulatory uncertainty have resulted in a wild ride for cannabis stocks. Over the past 18 months, the MJ ETF has had three rallies more than 40% and two sell-offs more than 35%. Based on this pattern, the next move is likely down in the near term to the \$25-\$30 range.

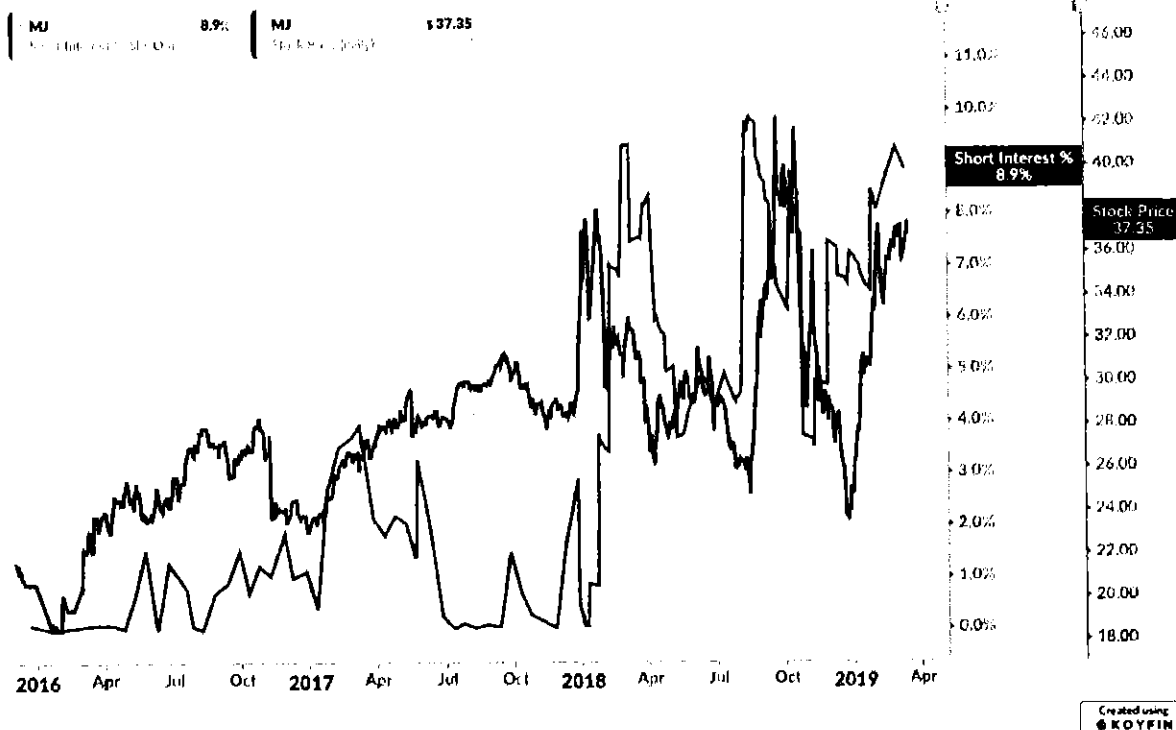
MJ ETF (NYSE: MJ)



MJ ETF wild ride. Interactive chart KOYFIN

Short interest in the ETF is around 9% of shares outstanding, which is near the high since inception. Also interestingly, short interest previously declined as the ETF made new highs. This time, the ETF has rallied 60% from its low in December but short interest has remained elevated.

KOYFIN



MJ ETF has elevated short interest as traders bet against it. Interactive chart KOYFIN

There are few reasonable options to buy cannabis stocks because valuations are too inflated. However there might be a better indirect play. Constellation Brands (STZ) is one of the largest beer and wine distributors in the world with brands such as Corona and Modelo. Recently, STZ planted its flag in the cannabis space with an equity investment in Canopy Growth (CGC). The dealmaking started in October 2017 when it paid \$190 million for a 10% stake in CGC. In June 2018, STZ bought a \$450 million convertible note and in October 2018, the company paid \$3.8 billion to increase its stake to 38%, with optionality to increase its ownership to 50% in the future. STZ evidently has its sights on the cannabis industry with a large balance sheet. The stock is reasonably priced at 18.5x P/E, inline with its 10-year average.

K OYFIN

STZ
Price / Earnings (NTM) 18.5x

STZ forward P/E. Interactive chart K OYFIN

It's exciting to watch how the cannabis industry will develop over the next several years. The inflated valuation of the stocks makes for poor risk/reward of buying the traditional cannabis stocks. Until valuations come down for traditional cannabis stocks and there's more certainty around regulation, investors should puff puff pass.

I'm the founder and CEO of Koyfin which provides investment research tools focused on dashboards and data visualization



Rob Koyfman Contributor

I started my career in Goldman Sachs Research in 2002 trying to figure how to be a stock analyst covering REITs. After a year of mild success, I moved to Portfolio Strat... **Read More**

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Are Canada's Cannabis Companies Overextended?

**Kris Krane** Contributor ①*I write about the cannabis industry.*

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In no other industry could a company like Canopy Growth have a \$4.9 billion valuation—more than 98 times its reported lifetime revenue of \$46.8 million.



An employee sorts bags of marijuana for shipment at the Canopy Growth Corp. facility in Smith Falls, Ontario, Canada, on Dec. 19, 2017. Canopy Growth's valuation of \$4.9 billion is more than 98 times its reported lifetime revenue of \$46.8 million. Photographer: Chris Roussakis/Bloomberg

Canada has become ground zero for cannabis business in recent years, with Canadian companies like Canopy Growth Corp. and Aurora Cannabis Inc. drawing headlines for sky-high valuations, high-profile acquisitions, partnerships

with mainstream companies, and international expansion plays. Much of this hype is justified, as Canada moves swiftly towards becoming the largest country in the world to legalize the production and sale of marijuana for adults when legalization takes effect this July.

But some of the hype is just that—hype. It's worth looking at what Canadian cannabis companies have going for them, and where the hype may be getting in the way of gaining a clear perspective.

Canadian companies have a huge competitive advantage over their American counterparts, due largely to marijuana being legal and regulated at the federal level in Canada, whereas American businesses must operate only in state-legal environments while being viewed by the federal government as large-scale drug traffickers. Companies in the United States face hurdles that don't exist for Canadian businesses, including the 280e provision of the IRS tax code, which effectively taxes American cannabis companies at rates substantially higher than businesses in any other industry. American cannabis companies also face substantial hurdles accessing simple banking services, with many banks charging \$5,000 a month or higher just to open a basic bank account.

Meanwhile in Canada, cannabis businesses have full access to capital markets, with an ability to access institutional lending and public markets. This has led to Canadian companies being extremely well capitalized. Canadian companies are clearly the dominant leaders in the global industry, and have much going for them in the worldwide cannabis markets. These companies enjoy a first-mover advantage as the first large cannabis companies in the world. This has not gone unnoticed by traditional industries, as evidenced by major global alcohol producer Constellation Brands STZ +0% ' \$190 million investment in Ontario-based Canopy Growth, and tobacco company Alliance One's recent purchase of majority stakes in two Canadian marijuana companies.

These Canadian companies are using their access to relatively cheap capital to build massive greenhouse and indoor production sites across Canada. Canopy alone is currently licensed to grow over 1 million sq. ft. of greenhouse canopy space. And many of these companies are making noise internationally, with Tilray

(a subsidiary of Privateer Holdings) building out more than 100,000 sq. ft. of greenhouse along with outdoor fields in Portugal, and Aurora Cannabis building out 1 million sq. ft. of greenhouse production in Denmark.

These companies have been rewarded with sky-high valuations, particularly those on the public markets. The three largest publicly traded Canadian companies—Canopy Growth, Aurora Cannabis, and Aphria Inc., which all trade on the Toronto Stock Exchange—currently have market caps of approximately \$4.9 billion, \$3.4 billion, and \$1.8 billion, respectively. Privateer Holdings, the privately held parent company to Tilray, recently completed a \$100 million capital raise at a valuation of more than \$600 million, according to TechCrunch.

Valuations justified?

This all begs the question, are Canadian companies overvalued and overextended? These valuations make little sense when viewed against these companies' revenues. In no other industry could a company like Canopy Growth have a \$4.9 billion valuation—more than 98 times its reported lifetime revenue of \$46.8 million. 🐦 Aurora's valuation is over 220 times its reported lifetime revenue. These valuations are not being driven by current or even near-term projected revenue, but by speculation that these Canadian companies will eventually dominate the global cannabis industry. These companies have generated tremendous investor excitement by positioning themselves to be the dominant players when Canada fully legalizes for adults this summer, and by building out large-scale production facilities that can export into newly emerging medical cannabis markets in Europe, markets that are inaccessible to American companies that are in violation of federal law.

Look under the hood, and these assumptions may be shakier than these companies would like investors to believe. Yes, Canada will be legalizing for adults later this year. But Canada's entire population is only 36 million people, 3 million less than California alone. According to BDS Analytics, California is expected to be a \$5 billion market in 2019, nearly \$6 billion less than valuations of the top three Canadian companies.

On the international markets, it is uncertain whether Canada will truly be the dominant global player on the export market. Canada hardly has the climate and conditions for large-scale greenhouse agriculture. There is a reason that the largest greenhouse vegetable producers in the western hemisphere are located in California, Arizona, Mexico, and Latin America. These same conditions will allow cultivators in those areas to produce cannabis at a fraction of the cost of similar-sized greenhouses in Canada. Meanwhile, Latin American countries are starting to allow large-scale cannabis production, with Colombia in particular making moves to be a large-scale exporter in the western hemisphere.

Even in Europe, production in wealthy EU countries like Portugal and Denmark may have a hard time competing when areas with lower labor costs and better agricultural climates—such as Turkey, Albania, and North Africa—eventually embrace large-scale production.

There is no doubt that today Canadian cannabis companies enjoy a substantial competitive advantage, and they may well use that advantage to maintain their position as the dominant global players into the future. These companies may use their first-mover advantage to purchase companies in the United States and elsewhere and become large consolidators of the industry. But for those who are truly bullish on Canada, they should be aware that significant risks exist.

Kris Krane is co-founder of 4Front, a leading investment and management firm in the cannabis industry. Follow 4Front on Twitter or subscribe to its newsletter.



Kris Krane Contributor

I am co-founder and president of 4Front, a leading investment and operations firm in the legal cannabis industry. I've had the opportunity to work on regulatory and busi... **Read More**

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Grow-op Nation: Canada's pot industry is hungry for real estate

Footprint of Canada's marijuana industry expected to grow fivefold in two years — turning up the heat on an already hot real estate market

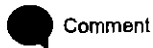
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BLOOMBERG NEWS
NATALIE WONG

February 20, 2018
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Canada's industrial real estate sector is as hot as it's ever been and the legalization of recreational pot will only add to the demand.

The country's eight biggest weed companies will require more than 8 million square feet of space for growing marijuana by 2020, up more than fivefold from current levels, according to a report from brokerage Jones Lang LaSalle Canada. The estimate, which excludes logistics and distribution centers, would be about the size of Amazon.com Inc.'s Seattle headquarters, which houses about 40,000 workers across multiple buildings.

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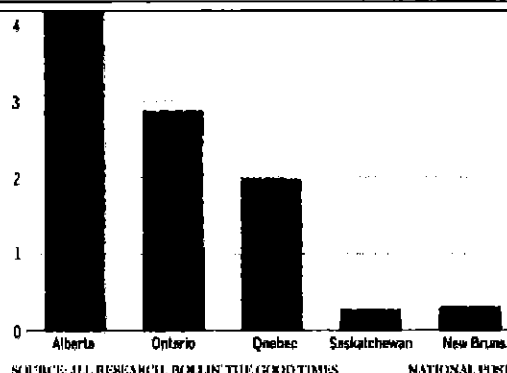
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marijuana stores
planned for the province

Canada's booming weed
industry plots next wave
of cannabis-based
medicines

StatsCan is having
sewage water tested for
THC to gauge how much
marijuana we're using



recreational use nationally.

The country's burgeoning pot industry, which includes about 85 companies with a combined market value of about \$30 billion, will put more pressure on the country's stock of industrial real estate amid a booming economy and the shift to online shopping. The industrial vacancy rate hit 3.9 per cent at the end of 2017, the lowest since 2001, with rents up 15 per cent in Vancouver and 7.3 per cent in Toronto from 2016, according to Cushman & Wakefield.

"Industrial is as hot as anything you can imagine," said Altus Group Ltd. CEO Robert Courteau in an interview at Bloomberg's Toronto office. Whether it be the rise of Amazon or marijuana, all of these are "another level of aggravation on unavailable assets."

GREENHOUSES EYED

Canada can look south of the border to see how the push for legal pot sent rents soaring. Cannabis companies paid a premium of about \$12 to \$18 a square foot for industrial space in around Portland, Oregon in 2016 compared with regular market rates about \$5. In Colorado, growers have paid almost 10-fold the going rate for first-rate spaces.

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picture of shifting demographics

Canadian weed companies are taking different approaches to real estate. Vancouver-based Aurora Cannabis Inc. builds its own facilities from the ground up so that the company can “precisely control all variables,” chief corporate officer Cam Battley said in an interview. Smiths Falls, Ontario-based Canopy Growth Corp., the biggest publicly traded cannabis producer globally, used to hunt mainly for massive, empty industrial warehouses but they've started looking at outdoor greenhouses because it reduces costs, said spokesman Jordan Sinclair by phone.

Nonetheless, the spillover from expanding pot companies will also impact retail and office spaces long-term, JLL said.

“This will be even bigger than the end of prohibition of alcohol, because we have so many more people, acceptance and technology,” said Gaurav Mathur, research manager at JLL. “Canada has a long runway of growth up ahead.”

[Bloomberg.com](https://www.bloomberg.com)

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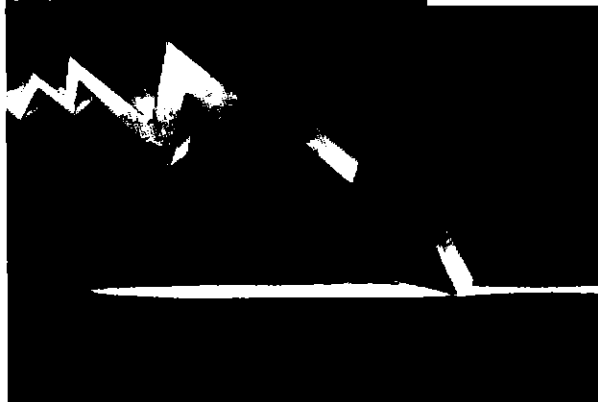
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Washington state cannabis oversupply spurs calls for change

Published January 10, 2018 | By Bart Schaneman

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(This is the second installment in a two-part series on challenges facing Washington state's marijuana industry. [Click here](#) to read Part I.)

(This story has been updated from an earlier version.)

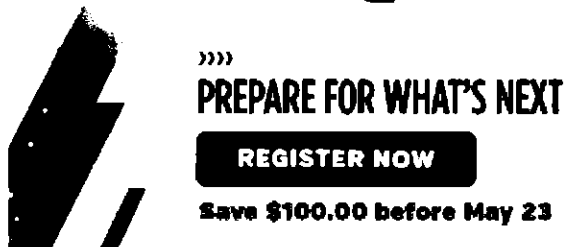
Washington state's cannabis supply continues to swell, flooding the market and causing both wholesale and retail prices to sink.

After the October 2017 outdoor harvest – the state’s largest to date – Jim MacRae, owner of cannabis-focused business intelligence firm Straight Line Analytics in Seattle, says the market will have a 60% larger supply than in 2016.

With an ounce of legal marijuana flower selling for as low as \$40 in the state’s retail stores, both shop owners and producers are seeking changes to Washington’s cannabis regulations.

Lawmakers and industry leaders are discussing ways to correct the market, including:

- Reducing the amount of square footage growers are allowed.
- Ending license transfers so when a business fails, its permit is no longer on the market.
- Putting a moratorium on the approval of new licenses.



One thing most in the industry agree on: There’s too much cannabis production. “Right now we have about three times more product than we have retail sales,” said grower Steve Fuhr, who owns Toucan Farms in Shelton.

‘Bloodbath of prices’

Fuhr said he’s struggling to get more than \$1 a gram (\$454 a pound) wholesale for the cannabis he grows.

“It’s a bloodbath of prices,” he added.

MacRae tallied the number of plants in spring to arrive at his estimate of a 60% larger supply.

“It’s the biggest harvest we’ve ever seen in the state,” he said.

"It's unlikely that all of that is going to sell, and if it does, it's going to sell at even further depressed prices."

MacRae expects about two-thirds of the harvest will have difficulty selling through the regulated system.

Jeremy Moberg – president of the Washington Sungrowers Industry Association – wonders if prices have gotten so low that retail businesses are cannibalizing themselves.

"You can drive a mile from the Washington State Liquor and Cannabis Board and buy a pretty good-looking ounce for \$40," added Moberg, also CEO of Cannasol Farms, a producer/processor company in Okanogan County.

"Half of the black-market price. That's how bad it is."

Logan Bowers, co-owner of Seattle retail shop Hashtag Cannabis, said his most expensive ounce sells for \$420.

He also sells ounces at around \$100 with tax and expects to begin selling ounces that maintain his quality standards for \$75 in the next month or so.

Bowers said he's heard of a few retailers selling ounces for as low as \$40.

"But the quality is awfully suspect at that price," he said.

Washington's wholesale oil market is also impacted by the cannabis glut.

Much of the flower from the outdoor harvest isn't pretty enough to be displayed on a store shelf, so it goes into the oil market.

Growers selling their trim for oil production have "seen that market crater," Bowers said.

That's led to lower prices for pre-rolls, for example, because processors are making joints from the flower they'd normally sell for oil production.

Diversion practices

When the price of a legal ounce of cannabis sells for less than a black-market ounce, the potential for diversion is no longer a risk, it's a certainty, said Moberg.

Retail stores selling at the \$40-\$50-per-ounce price are moving 400-500 units a day to customers around Washington, Moberg added.

"This is clearly for diversion," he said. "Is the store breaking the law? Probably not.

"The rule about looping is vague here, and there's no enforcement."

"Looping" is where a customer buys multiple ounces of cannabis in one day through repeated trips to the same store.

Colorado retail chain Sweet Leaf has been accused of allowing the looping practice.

Bowers said some industry insiders put a positive spin on the low prices by pointing out the state still receives tax revenue.

But it's easy to make money selling those ounces across the border in a prohibition state, he added.

Neighboring Idaho, for example, doesn't allow the sale of either cannabis recreational or medical cannabis.

"It's important if we want our system to be successful that we be respectful of our neighbors," Bowers said.

What can be done?

License holders understandably would like to see failing businesses taken off the market rather than have them gobbled up by a more successful company.

Such action would decrease competition and allow the existing businesses a larger market share.

Moberg believes this is the best solution for the supply problem.

"I'm going out of business competing against people going out of business," he said.

With prices so low, a rash of companies are going belly-up.

But before closing their doors, owners put their licenses up for sale, which likely will fetch a hefty profit from a more successful business, according to Moberg.

The new owners typically have more business savvy and deeper pockets, Moberg added, so they'll likely end up adding to Washington's marijuana surplus.

Meanwhile, some business owners have called for the state to review canopy limits and consider reducing the cultivation facility size.

And, according to Bowers, the state's cannabis board has begun looking into that exact issue.

Under the current regulations, each large-scale cultivation license (Tier 3) is allowed 30,000 square feet of canopy and each company can own up to three licenses.

That's 90,000 square feet of canopy, which "grows a lot of pot," Bowers said. "You only need about 270,000 square feet to grow for the entire state."

There are currently about 1,100 growers in Washington.

"At the current limits that are licensed, we could grow enough (cannabis) to service California, Oregon and Washington combined," Bowers added.

Moberg thinks reducing the canopy size is the wrong answer.

"Particularly when you haven't done everything in your toolbelt to take care of the problem," Moberg said. "The winners and losers all get hurt."

Another looming problem: The state still has 77 outstanding production licenses from the original round of 2013 applications.

"Let's stop adding any more," Moberg said.

Bart Schaneman can be reached at barts@mjbizdaily.com

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69 comments on "Washington state cannabis oversupply spurs calls for change"

1. mytwosense on [January 10th, 2018 - 6:45am](#)

Shouldn't the state know this long before a "Straight Line Analytics" would? Whats the point of a "system" if you can't see this trend?

REPLY

- Eric Harris on January 10th, 2018 - 12:50pm

Sharp point – key indicator. Don't you think driving towards action before the jurisdiction defines itself is tinkering? Is it not endemic of the system each state is forced into? Price must find its natural place in the ecosystem. Long term..I see national removal from law normalizing regular product sub \$75, and graduating up a quality scale. Similar to art, alcohol, clothes.. Thoughts? Cheers/Eric

REPLY

- DC Broughton on January 11th, 2018 - 6:32am

I said that when the state opened up a second round of tier applications. It was almost as if the state wanted the industry to fail. Wa. and Oregon are limited use states with very little tourist trade that visit for the legal marijuana. Oregon now has almost 1.5 million pounds excess. Who's making these disastrous decisions? The market for the entire legal west coast needs to price regulated before it lowballs itself out of existence.

REPLY

- MEOIT on January 12th, 2018 - 5:07pm

What other crops in the legal market do you know that sells for thousands of dollars per pound? The answer is none the reason pot prices were what they were is that it was an illegal business. Now that it is legal they will normalize close the same price as the rest of agriculture.

REPLY

- Jeanne Rees on July 21st, 2018 - 1:39pm

Many "crops" are that expensive... caviar...truffles..many specialized foods for people willing to pay.

Too much marijuana results in saturation of the market.

Legalization was the worst thing for medical marijuana users. These are people who's life depends on mj. Now govt will not cover their meds so they go without. What if the extra mj could be donated to Medical patient's. It would be a good financial decision.

REPLY

- Mr.Dingleberry on January 31st, 2018 - 3:53pm

The government shouldn't regulate commerce. We all know where that gets us in the long run. Shitty product at shitty prices. If the market were free and anyone could start a business

Environment

Community Concerns Related to the Environment

In our efforts to oppose the development of this facility we have not been able to find a level or department of government that is responsible for ensuring that the natural environment in the surrounding area remains protected. We have reviewed the Environmental Assessment completed by Toth and Associates that is contained within the ACRD's staff report and we were appalled to learn that despite the recommendation that the facility not be built in this location due to the extreme sensitivity of the environment and the water table, the development is proceeding. We were hopeful that a more detailed assessment would be completed, as was recommended in the report, and that the results would be binding, however, we heard repeatedly from the ACRD that due to the developer's minimal adherence to setback rules, no further assessments would be done. This is a glaring and unacceptable omission in the certification process for these facilities. Many of our community members have water rights to the creek that runs through this property, and both of the creeks that run through the property are fish bearing and support local wildlife. There have been no risk assessments done regarding the impact on fish and other wildlife, such as migrating birds, and the one assessment that was done stated that the facility would potentially increase the flood risks for neighbouring properties. Indeed it would seem that "we just let ourselves get to a place where cannabis is so profitable that people aren't considering the future of the planet". We understand that the lid will not be placed back on Pandora's box and that this industry is not going away. We also understand the importance of standing up and demanding that our community and our environment not be thrown under the bus in order to enhance the profitability of an already profitable business model. We are not seeking to limit the ability of any Canadian to access their constitutional right to medical marijuana. We are asserting our own rights to continue living in a community that is safe, healthy, and protected for future generations of farmers and families.

Please review the articles in the following section that briefly touch upon our concerns for our environment. We have also included a list of properties with water rights to the creek, as it demonstrates how many of us will be severely impacted by this facility, as well as the extent of our connections to our local environment.



Exploring the environmental impacts of cannabis cultivation

Friday, June 22, 2018 @ 12:54 PM | By Selina Lee-Andersen

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Selina Lee-Andersen

With the passage of Bill C-45 (the *Cannabis Act*) by the House of Commons and Senate this week, Canada is on the verge of becoming the first G-7 country to legalize recreational cannabis. With the imminent legalization of cannabis, attention is turning to the business of cannabis. In its 2018 Cannabis Report, Deloitte estimates that the total cannabis market in Canada (including medical, legal and illegal recreational products) is expected to generate up to \$7.17 billion in total sales in 2019.

The legalization of cannabis will mark not only a significant transition for Canada at a societal and public policy level, but it will also create a dynamic new market that will spur innovation and entrepreneurship. While much of the focus of cannabis legalization has been on public health and safety, the environmental impacts of cannabis cultivation are only starting to be explored from a public policy perspective. Depending on the nature and location of a proposed facility, the cultivation of cannabis on a commercial scale entails a number of environmental considerations.

Commercially, cannabis is grown in specially designed indoor facilities or in greenhouses. It is expected that cannabis facilities will be treated like all industrial facilities, meaning that they will be subject to applicable federal, provincial and municipal laws as they relate to environmental matters. This includes contaminated sites management, water use, effluent management, fisheries impacts, odours and air quality, energy use and greenhouse gas emissions. As cannabis production ramps up across the country, producers will need to be mindful of the following environmental concerns:

Contaminated sites management: In a number of jurisdictions, producers are repurposing former industrial facilities (such as former mill sites) for cannabis cultivation. Where a producer is looking to acquire a former industrial site and convert it into a cannabis facility, careful due diligence will be required to assess the scope of any remediation requirements to address any historical contaminants on the property. Depending on the nature of historical activities on the property, remediation costs could be potentially significant. Likewise, at the end of the life of a cannabis facility, remediation of the site may be required, particularly where the operations used or produced hazardous substances.

Water use: The production of cannabis requires large volumes of water, particularly where cannabis is cultivated outdoors, when water use may increase due to weather conditions. Industry estimates indicate that a marijuana plant needs approximately 22 litres of water a day; in comparison, a wine-producing grape plant uses approximately 12 litres a day. In California, studies have suggested that irrigation for outdoor grow operations are having significant impacts on local watersheds as a result of the diversion of water for cannabis production. Where water permits are required to divert water from either surface or groundwater sources, regulators will be looking closely at impacts to local watersheds (particularly in areas prone to drought) and considering potential environmental flow needs in the region.

Effluent management: Depending on production methods, cannabis grow operations may generate effluent containing growth nutrients and pesticides, which could have potentially adverse environmental impacts on local ecosystems. Producers with facilities near fish bearing habitat will also need to monitor the potential impacts of their operations on fish and fish habitat to ensure compliance with *Fisheries Act* requirements, in particular ss. 35 and 36 of the *Fisheries Act*, which prohibit activities that result in serious harm to fish and the deposit of deleterious substances into fish bearing waters, respectively.

Odour and air quality: The production and processing of cannabis may generate odours and volatile organic compounds, which could potentially impact air quality and cause off-site nuisances to neighbouring properties. As a result, producers will need to consider the applicability of local air quality requirements, which may include registration, permitting or reporting requirements.

Energy use and greenhouse gases: Across North America, the vast majority of cannabis cultivation occurs indoors. This is primarily because until now, the illegal cultivation of cannabis necessitated indoor grow operations. The indoor cultivation of cannabis is energy intensive, owing to the need for high-intensity lamps, air conditioners and dehumidifiers to regulate humidity and temperature. The greenhouse cultivation of cannabis is much less energy intensive, resulting in a smaller carbon footprint of the crop. Whether the crop is grown indoors or outdoors, producers may benefit from measuring the carbon footprint of their operations to find opportunities for reducing energy use. In addition, it is worth exploring whether any government-sponsored energy efficiency programs or incentives have been made available for industrial facilities to encourage the transition to less energy intensive modes of operation.

As noted above, it is expected that cannabis facilities will be subject to existing environmental laws. While some jurisdictions such as Washington state have established a licensing regime specifically for commercial marijuana production and processing facilities, Environment and Climate Change Canada has said that it is not planning any industry-specific regulations for cannabis facilities. That said, producers should remain aware of any industry-specific environmental requirements that may be imposed by provincial and municipal governments.

As governments grapple with the regulatory implications of the cultivation of cannabis on a commercial scale, regulators may look for guidance in environmental regulations that have already been established for greenhouse crops such as green peppers, tomatoes and forestry seedlings. In addition, the implementation of certification and eco-labelling programs may help not only to create an industry standard that consumers can rely upon, but also to incentivize environmental best practices.

Selina Lee-Andersen practises environmental and Aboriginal law at [McCarthy Tétrault LLP](#) in Vancouver. Part of her practice focuses on climate change law,

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C024470	92.F.036.1.4 K (PD30063)	Beaver Creek	Irrigation: Private	59207.04	MY	M	N	DARBY HEATHER ELAINE 8050 HALPENNY ROAD PORT ALBERNI BC V9Y8N4	ALB - ALBERNI	Current	N/A	19580507	
C042112	92.F.036.2.1 H (PD30013)	Beaver Creek	Domestic	2.273	MD	T	N	EDWARDS WAYNE G 7701 BEAVER CREEK RD PORT ALBERNI BC V9Y8M9	ALB - ALBERNI	Current	N/A	19730615	
C056644	92.F.036.2.1 U (PD30011)	Beaver Creek	Domestic	2.273	MD	M	N	HERBERT PETER W 7734 BEAVER CREEK RD PORT ALBERNI BC V9Y8M9	ALB - ALBERNI	Current	N/A	19320819	
"	"	Beaver Creek	Processing & Mfg: Process	2.273	MD	M	N	HERBERT PETER W 7734 BEAVER CREEK RD PORT ALBERNI BC V9Y8M9	ALB - ALBERNI	Current	N/A	19320819	
"	92.F.036.2.1 V (PD30009)	Beaver Creek	Domestic	2.273	MD	M	N	HERBERT PETER W 7734 BEAVER CREEK RD PORT ALBERNI BC V9Y8M9	ALB - ALBERNI	Current	N/A	19320819	
"	"	Beaver Creek	Processing & Mfg: Process	2.273	MD	M	N	HERBERT PETER W 7734 BEAVER CREEK RD PORT ALBERNI BC V9Y8M9	ALB - ALBERNI	Current	N/A	19320819	
C056645	92.F.036.1.4 L (PD30064)	Beaver Creek	Domestic	2.273	MD	T	N	MARKIN DOUGLAS 8182 HALPENNY ROAD PORT ALBERNI BC V9Y8N4	ALB - ALBERNI	Current	N/A	19670818	
C061405		Beaver Creek	Domestic	2.273	MD	T	N	MARKIN DOUGLAS	ALB - ALBERNI	Current	N/A	19830603	

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leafy green crops, with a synthetic alternative," he said.

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Why a U.S. crackdown on legalized pot could be a boon for our cannabis industry

So he was focused on plant health, not sustainability, when he decided to build SunLab, a 120,000-square foot greenhouse in Maple Ridge, B.C. It was only after he crunched the numbers that he realized it would use 90 per cent less electricity than a traditional indoor facility, he said.

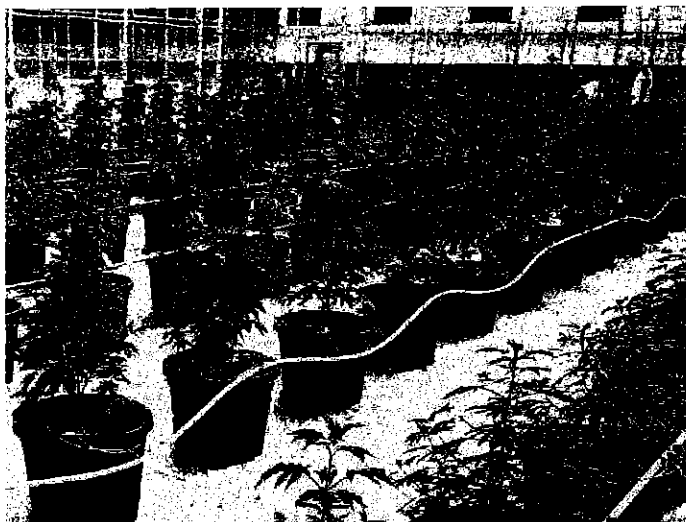
As Canada moves closer to legalizing cannabis, experts are warning it isn't so green for the environment. Growing pot indoors gobbles electricity through the use of high-intensity lamps, air conditioners, dehumidifiers and more, while irrigation for outdoor grow-ops in California has been shown to be sucking some streams dry.

Sutton said cannabis is so lucrative that companies don't need to control expenses, such as electricity costs, efficiently. Regulators should help newcomers prioritize sustainability — for example, through building standards or green tax credits — but there's been little discussion of that in Canada so far, he said.

RELATED STORIES



Boomers 'bringing cannabis use with them' as StatsCan paints picture of shifting demographics



An undated handout photo shows Tantalus Labs' SunLab, a purpose-built cannabis greenhouse in Maple Ridge, B.C. Handout/Tantalus Labs/The Canadian Press

"We just let ourselves get to a place where cannabis is so profitable that people aren't considering the future of the planet," he said.

TORONTO WEATHER

2°C

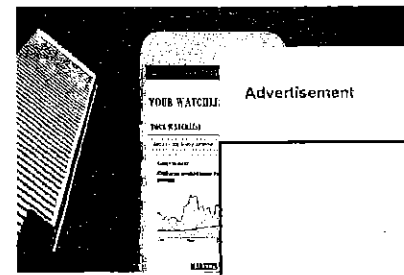
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the top-producing state, indoor cultivation was responsible for about three per cent of electricity use, or equivalent to that of one million homes, wrote Evan Mills, a senior scientist in energy technologies at the Lawrence Berkeley National Laboratory.

Several Canadian cannabis companies are investing in greenhouse production. Canopy Growth is developing 1.3 million square feet of greenhouse capacity in B.C., while Aurora Cannabis bought a greenhouse-design firm to oversee the construction of its 800,000-square-foot production facility at Edmonton's airport.

*We just let ourselves get to a place
where cannabis is so profitable that
people are (not) considering the
future of the planet*

— Dan Suttton



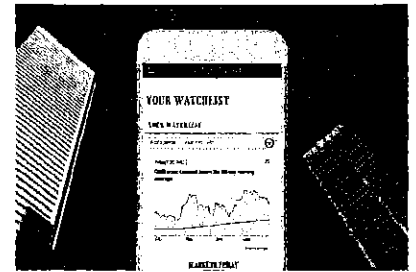
Of course, illicit pot growers have traditionally kept their crops indoors to hide them from police. If they join the legal industry, it's possible some will switch to outdoor cultivation, said Jonathan Page, a University of British Columbia botany professor.

Page wrote to the parliamentary committee handling legalization in August and urged it to include outdoor cultivation in Canada's cannabis regime. In November, Health Canada released proposed regulations that would allow indoor and outdoor producers.

But while outdoor production generally uses less energy, it may also use more water. Indoors, it's important to control water use to keep humidity low and prevent mould, said Emily Backus, chairwoman of a workgroup on cannabis sustainability set up by the City of Denver.

A study published by the California Department of Fish and Wildlife in 2015 looked at outdoor marijuana grow-ops and greenhouses. Researchers concluded that weed cultivation was excessively diverting water from creeks that are home to threatened salmon populations.

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As Canada moves closer to legalizing cannabis, experts are warning it isn't so green for the environment. *Chris Roussakis/Bloomberg*

Lead author Scott Bauer said researchers used an industry estimate that a marijuana plant needs about 22 litres of water a day, compared with a wine-producing grape plant, which uses about 12 litres a day.

Many cannabis greenhouses in California use lights, raising concerns about energy use and light pollution outdoors, he added.

Health Canada's proposed cannabis regulations do not specifically address energy use or water consumption. The rules would require that legal cannabis products meet quality standards, be produced in sanitary environments and be tested for contaminants and the presence of unauthorized pesticides.

In a statement, Health Canada said cannabis facilities, like all industrial facilities, will be subject to Environment and Climate Change Canada rules including pollutant release reporting obligations, water pollutant prohibitions and carbon pollution pricing.

"At this time, however, Environment and Climate Change Canada is not planning any new regulations specifically focused on this sector," it said.

Health Canada has asked for feedback on the proposed regulations by Jan. 20. The department is also assessing the environmental impacts of cannabis production, among other impacts, and will publish its findings alongside the finalized regulations, it said.

Boulder County in Colorado requires cannabis growers to either offset their electricity use with renewable energy or pay a fee. The fee goes toward a special fund that is used to educate and encourage best marijuana cultivation practices.

As the industry has grown, companies have focused more on reducing energy costs to be more competitive, said Ron Flax, the

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Chronobiol Int. 2015;32(9):1294-310. doi: 10.3109/07420528.2015.1073158. Epub 2015 Aug 20.



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Effects of artificial light at night on human health: A literature review of observational and experimental studies applied to exposure assessment.

Cho Y¹, Ryu SH¹, Lee BR¹, Kim KH¹, Lee E², Choi J^{1,2}.

Author information

Abstract

It has frequently been reported that exposure to artificial light at night (ALAN) may cause negative health effects, such as breast cancer, circadian phase disruption and sleep disorders. Here, we reviewed the literature assessing the effects of human exposure to ALAN in order to list the health effects of various aspects of ALAN. Several electronic databases were searched for articles, published through August 2014, related to assessing the effects of exposure to ALAN on human health; these also included the details of experiments on such exposure. A total of 85 articles were included in the review. Several observational studies showed that outdoor ALAN levels are a risk factor for breast cancer and reported that indoor light intensity and individual lighting habits were relevant to this risk. Exposure to artificial bright light during the nighttime suppresses melatonin secretion, increases sleep onset latency (SOL) and increases alertness. Circadian misalignment caused by chronic ALAN exposure may have negative effects on the psychological, cardiovascular and/or metabolic functions. ALAN also causes circadian phase disruption, which increases with longer duration of exposure and with exposure later in the evening. It has also been reported that shorter wavelengths of light preferentially disturb melatonin secretion and cause circadian phase shifts, even if the light is not bright. This literature review may be helpful to understand the health effects of ALAN exposure and suggests that it is necessary to consider various characteristics of artificial light, beyond mere intensity.

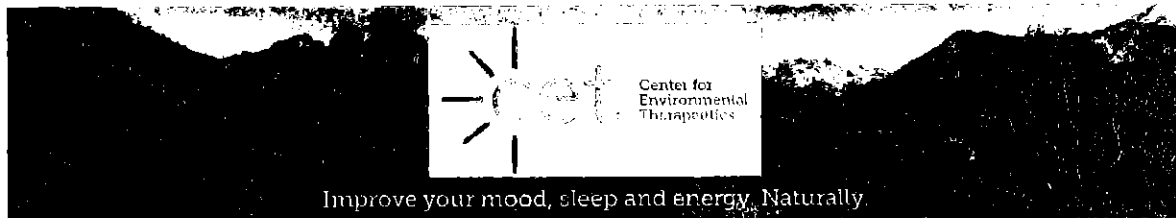
KEYWORDS: Artificial light at night; breast cancer; circadian rhythm; light exposure; light pollution

PMID: 26375320 DOI: [10.3109/07420528.2015.1073158](https://doi.org/10.3109/07420528.2015.1073158)

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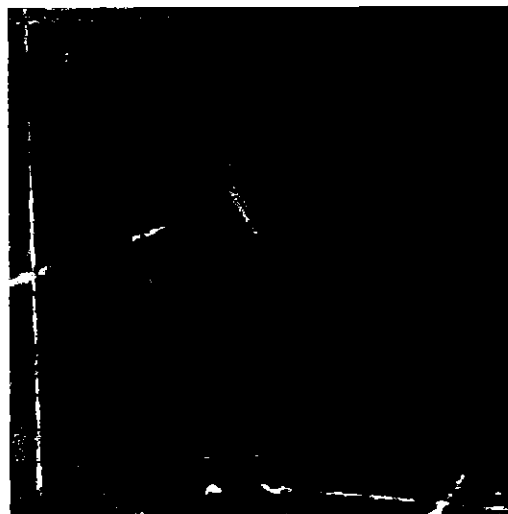
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The Effects of Light on Health

It turns out that it is not only how much light you get. When you get that light affects your health, and mental health. Read about some of the latest research here.

Why Is Depression Increasing in the US? A Japanese Study Suggests an Answer

Elizabeth Saenger, PhD



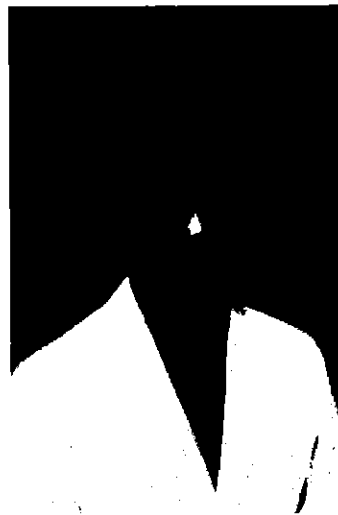
Depression has been increasing significantly in the US lately. For example, a study from the Mailman School of Public Health at Columbia University found that in a recent ten-year period, depression rose from 6.6% to 7.3% in the population as a whole. This meant that the number of Americans with depression increased from 21.6 million to 23.9 million.

The young (aged 7 to 12 years old) had the greatest increase, but other groups also showed significant increases, such as:

- the elderly
- whites
- people with the lowest and highest incomes
- those with the highest levels of education.

Increases in depression are a serious problem. This mood disorder can be disabling for those who have it. Further, not only are the symptoms a problem in and of themselves, but depression is associated with risks of dementia, cardiovascular disease, and early death. In addition, depressed individuals often tax family members, friends, employers, and society at large.

Research Sparks a Study



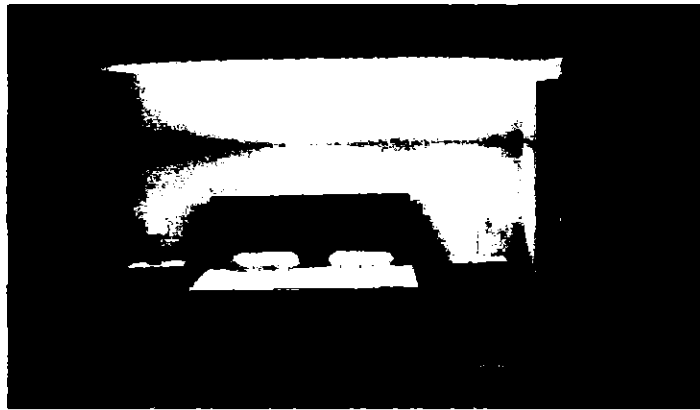
Recently Kenji Obayashi, PhD, and his colleagues focused on the connection between depression, or depression-like behavior, and exposure to artificial light at night. This connection appears in:

- hamsters who were exposed to a low level of light at night for four weeks
- night shift workers
- elderly people who were exposed to artificial night at night.

These scientists were especially interested in the association between depression and evening light exposure in the elderly. Their earlier research on that topic had compared such light exposure in two groups: people who were depressed, and people who were not. It concluded that the depressed people (compared with those who were not) had been exposed to light at night more often, and more often for longer periods of greater intensity.

However, the study Dr. Obayashi and his colleagues conducted was cross-sectional (a snapshot in time) vs longitudinal (observations of how people changed over time). The researchers wanted to do a longitudinal study which would let them determine whether light at night was a risk factor for depression in elderly people living at home.

A Risk Factor for Depression



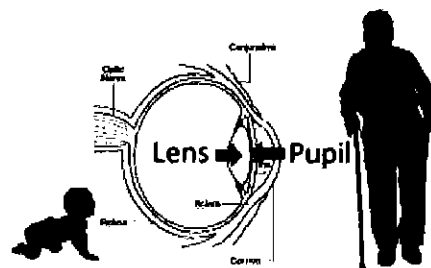
To test this idea, the researchers recently investigated whether exposure to light at night in the bedroom was an independent risk factor for depression in the elderly. Their investigation had several strengths, including:

- a longitudinal design
- a large sample size (863 participants)
- a precise method of measuring bedroom light while subjects were actually sleeping, thus approximating how much light hit the retina, where light begins the process of carrying a message to the inner clock (the suprachiasmatic nucleus in the hypothalamus).

The subjects were exposed to light at very low levels, made still lower by the fact that subjects usually had their eyes closed. Nevertheless, this miniscule amount of illumination at night increased the occurrence of subsequent depression.

Further, exposure to brighter light, even within those low levels, was associated with a greater risk of depression. In short, it seemed that if the brightness of the light exceeded a threshold, albeit a low threshold, it had negative consequences.

The Next Question



Are children and adolescents even more vulnerable than the elderly to light at night? After all, as we age, our lenses yellow, and our pupils become smaller, and less flexible. Therefore, less light strikes our retinas. That means that at age

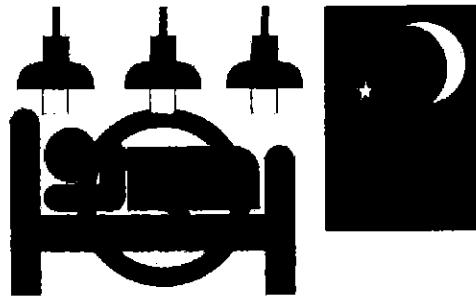
- 45, we receive only half as much light in our circadian systems as we did in our youth
- 75, we receive only a third of what we received when we were 45.

Perhaps the sensitivity to bright light that youth have is associated with the finding, noted above, that children aged 7 to 12 experienced the greatest increases in depression. This raises the question of whether exposure to light at night might cause depression in children.

Dr. Obayashi and colleagues will be investigating light at night as a risk factor in depression for children. Stay tuned!

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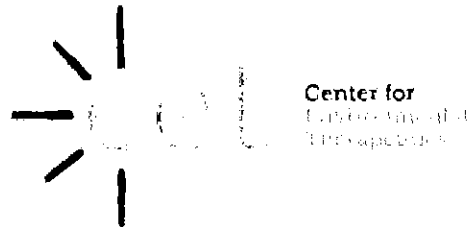
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How Safe Is the School Bus?

When you get in your car, you buckle up for safety, and if you're a parent, you make sure your children are buckled up, as well.

But if you're a parent, do you wonder about your children as they board the big yellow school bus in the morning? How safe are they aboard that big bus, particularly if the bus—like most—has no seat belts for its passengers?

During the school year, 23.5 million elementary and secondary school children ride a bus to and from school each day, according to School Transportation News. Add in extracurricular activities, and the school bus system becomes the single largest public transit system in our country.

Like any form of vehicular transportation, accidents involving school buses are inevitable. Each year, about 17,000 children are treated in hospital emergency rooms for injuries associated with school buses. Children can be injured when riding the bus, getting on or off the bus, or standing near the bus.

More than 40 percent of school bus injuries are caused by vehicular accidents, according to a 2006 report by the Center for Innovation in Pediatric Practice (CIPP) in Columbus, Ohio. Yet, thanks to bus design, most of those injuries are considered minor, causing sprains, strains, scrapes or bruises, according to the National Highway Traffic Safety Administration (NHTSA).

Safety around the bus

About 24 percent of injuries involve getting on or off the school bus, according to the CIPP report. Although an average of seven school-age passengers are killed in school bus crashes each year, 19 are killed getting on and off the bus, according to School Transportation News.

Most of those killed are 5 to 7 years old. They are hit in the "danger zone" around the bus. This is the area 10 feet in front of the bus, 10 feet behind it and 10 feet to either side of it. The children are struck either by the school bus itself or by a passing vehicle, even though it is illegal for a vehicle to pass a bus with its red light flashing.

More school-age pedestrians are killed in the afternoon than in the morning, with 38 percent of the fatalities occurring in crashes between 3 and 4 p.m.

To better protect children, many bus companies have added a mechanical arm that forces a child to stay a certain distance from a bus. And some school districts have mounted cameras on their buses to record motorists who fail to stop for a school bus.

Parents, too, can do a lot to help prevent accidents near the school bus. They can keep an eye on children waiting for the bus or departing the bus. And they can teach them several simple rules to keep them safe. Children should stay 10 feet away from the bus, or as far away as they can, and never walk behind it. They should take five giant steps in front of the bus before crossing, so they can be seen by the driver.

Onboard safety

Some people advocate that large buses—those weighing more than 10,000 pounds—have seat belts to keep children safe. Many experts point out, however, that the seats in large buses are now constructed in a way that seat

belts are not needed. The idea is called "compartmentalization." Seat "compartments" are designed to absorb the force in a crash, protecting the children, School Transportation News says. New bus seats are higher, wider and thicker, and all metal surfaces are covered with padding—all of which absorb energy in a crash. The seat structure allows it to bend forward when a child is thrown against it. Seats are also positioned no more than two feet apart, which limits the distance a child moves during a crash.

Compartmentalization provides protection in a head-on or rear-end collision, but some experts argue that children can still be tossed side to side during an accident, causing injuries and even death, School Transportation News says. When a bus rolls over, for instance, the most common injuries are usually to the head, neck and shoulders. One solution suggested would put extra padding along the sides of the bus interior—over the windows and on the paneling between windows.

There are several drawbacks to seat belts on large buses. They are effective only if they are used, School Transportation News says. On a bus that transports many children, it is difficult to enforce the use of seat belts. Even when in use, they require a lot of maintenance—to adjust them from child to child, to keep them in good working order and to keep them clean. Also, children younger than 8 years old need a chest harness instead of a lap belt.

In 2005, California began requiring that all school buses built new and operating in California have three-point safety belts. A three-point belt is attached to the seat on each side of the hips and also has a shoulder harness.

Smaller buses—those that weigh less than 10,000 pounds—are required by federal law to have three-point lap/shoulder seat belts. That's because federal government views smaller buses as similar to automobiles or light trucks, and federal law requires those vehicles to have seat belts. Not all states, however, mandate their use.

One important safety step that many school districts overlook is an evacuation drill for all students who ride school buses, the National Transportation Safety Board says. The board recommends a twice-yearly drill to review where emergency exits are and how to open them. A drill or safety briefing is also important for extracurricular trips, which may involve students who don't ride a bus regularly and may not be familiar with the safety features.

Safety tips for children

The NHTSA offers these tips for children who ride a school bus:

Try to get to your bus stop at least 5 minutes before your bus is supposed to arrive. When the bus approaches, stand at least three giant steps—6 feet—away from the curb. Line up away from the street.

Line up facing the school bus door—not along the side of the school bus.

Don't play in the street while waiting for the school bus.

Don't approach the bus until the bus has stopped, the door has opened, and the driver says you can get on the bus.

If you have to cross the street in front of the bus, always walk on the sidewalk or along the side of the street until you are at least five giant steps—10 feet—ahead of the bus. Then you can cross.

Before you cross, make sure the bus driver can see you, and you can see the bus driver. Wait for a signal from the bus driver before you cross the street.

When you climb the steps onto the bus, hold onto the handrails.

When you get off the bus, make sure that your clothing or book bags don't get caught on the handrails or the doors.

Never walk or cross the street behind the bus.

If you need to walk beside a bus, always stay three giant steps—6 feet—away from the side of the bus.

If you drop something near the bus, tell the bus driver. Never try to pick up what you've dropped. The bus driver might not be able to see you.

Safety tips for drivers

Here are safety tips from the NHTSA for drivers who travel through areas that have school children present:

When you back out of your driveway or leave your garage, be on the alert for children who are walking or bicycling to school.

When you drive through an area marked with school zones, watch out for children who are walking or bicycling to school. They may be thinking more about school than traveling there safely.

Whenever children may be in the area, slow down. Be on the alert for children walking in the street, particularly in neighborhoods that have no sidewalks.

Watch for children who may be waiting or playing near a bus stop.

Watch for children who may be hurrying to catch a bus, and who may dart out into the street without checking for traffic.

Pay attention to the flashing lights on the bus, and stop when the lights are red and the STOP arm is extended.

Safety tips for parents

The National School Transportation Association offers these tips for parents whose children ride the bus:

Have at least one adult present at the bus stop to supervise the children.

Let your children know that you won't be upset if they don't run back to the bus to pick up a jacket they left on a seat or grab school work that they accidentally dropped near the bus.

Encourage your children to sit quietly on the bus and listen to any instructions given by the driver.

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Why kids get hit by cars

TAGS: CHILD DEVELOPMENT | PERCEPTION | VISION



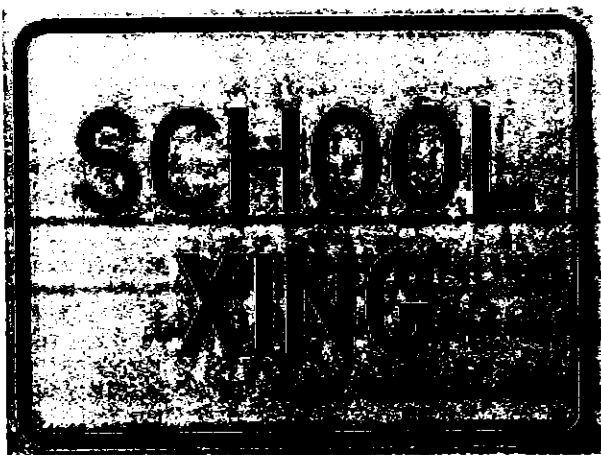
Getting hit by a car is the third leading cause of death for kids 5- to 9-years-old, and kids up to age 15 make up a disproportionate number of pedestrian casualties worldwide. It's not hard to think of reasons for this scary statistic: Children are easily distracted and don't always pay attention, and they are also smaller, so they're more likely to sustain fatal injuries

when they are hit. But there may be another, even more basic, reason for this childhood peril: Kids simply don't see the cars coming.

The ability to see and avoid looming objects is a fundamental skill, crucial to survival not only for humans but for most animals. We take it for granted because we do it automatically, but it's actually a complex skill, requiring a rapid calculation of size and distance and velocity. Add to this the fact that we pedestrians are also in motion, and must figure in our own walking speed, and it's no surprise that even adults get clipped sometimes. New evidence is now showing that kids' perceptual abilities are slow to develop, making them less adept at this crucial calculation.

Psychological scientist John Wann and his colleagues at the University of London ran a laboratory simulation of regular street crossing in order to compare the perceptual skills of adults with those of children of various ages. In this realistic simulation, a car approached on a roadway, sometimes varying in size and speed; sometimes the subjects saw the car directly in front of them, and other times off to

the side a bit, and they reported whether the image of the car expanded or stayed the same. The scientists also calculated the subjects' walking speed, and factored their movement into a calculation of their perception of the approaching car's looming threat.



They found a clear developmental pattern in perception of the looming vehicles. As reported on-line in the journal *Psychological Science*, the kids showed clear improvement in their acuity with age, but even the older children did not match the adults in their ability to detect an automobile's approach, suggesting that the neural mechanisms for this skill remain undeveloped. Paradoxically,

faster moving cars appear to loom less than slow moving cars, creating a dangerous illusion that speedy cars are not approaching. Indeed, the scientists determined that children could not reliably detect a car approaching at speeds higher than 20 miles per hour. What's more, the kids' perception of a car's approach was worse if the car was even slightly off to the side—a realistic condition for typical road crossing—or if they themselves were in motion, as they likely would be.

Driving 20 miles per hour is really slow. Try it sometime. But it's typically the speed we're supposed to drive in school zones, and there are many other locations—residential areas, for example—where kids are also vulnerable. These new findings fit with evidence that kids are three times as likely to get hit by a car when traffic speed exceeds 25 miles an hour, and now we know why. Not only do speedy drivers need more reaction time, now it appears that young pedestrians simply can't see the cars coming in the first place. It can be a deadly combination.

Wray Herbert's book, *On Second Thought: Outsmarting Your Mind's Hard-Wired Habits*, has been published by Crown. Excerpts from his two blogs—"Full Frontal Psychology" and "We're Only Human"—appear regularly in *Scientific American Mind* and in *The Huffington Post*.

Making It Happen

Pedestrian Safety



A Guide for Communities



This resource is generously supported by FedEx



Acknowledgements

Thank you to the National Safe Kids Campaign in the U.S. for permission to adapt information from the Safe Kids Walk This Way 2003 Task Force Guide and to the Transportation Association of Canada for permission to adapt information from the Canadian Guide to Neighbourhood Traffic Calming.

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Central Alberta Safe Communities Coalition

The Green Communities Association

Dr. Alison Macpherson

Peterborough County-City Health Department

Dr. I. Barry Pless

Saskatchewan Institute on Prevention of Handicaps

Toronto Pedestrian Committee

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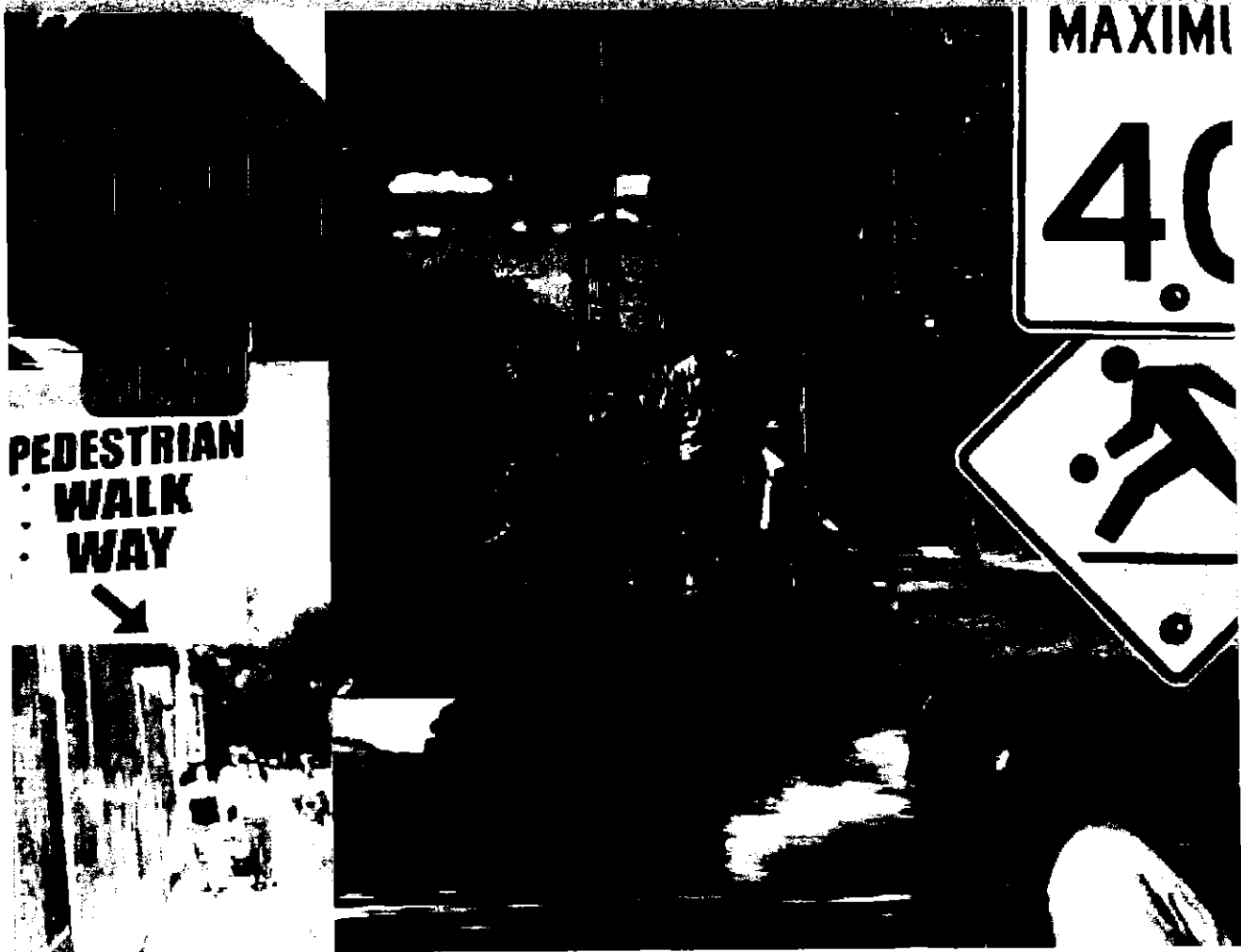
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www.safekidscanada.ca

safekids.web@sickkids.ca

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Making It Happen



AS A NATIONAL LEADER, Safe Kids Canada promotes effective strategies to prevent unintentional injuries. By building partnerships and using a comprehensive approach, we advance safety and reduce the burden of injuries to Canada's children and youth.

Community change is a process that can take a long time. Safe Kids Canada encourages you to view pedestrian safety improvement as a work-in-progress. We believe that children, and indeed all pedestrians, have the right to safe walking routes and a safe environment in which to travel.

Safe Kids Canada & FedEx Express – A ‘Perfect Fit’

As the world’s largest express transportation company, FedEx places a high priority on safety, both in the workplace and in the communities in which we live and operate. Every year FedEx Canada vehicles drive over 25 million kilometres delivering time-critical packages for our customers. Providing this service in a timely and safe manner requires a commitment to safe practices by all of our employees, particularly our 3,000 plus professional drivers.

At FedEx, we participate in a number of traffic safety promotion programs with Safe Kids organizations. These initiatives stretch from North America to Brazil and China. In Canada, we are proud to partner with Safe Kids Canada to educate children about pedestrian safety, encourage motorist awareness about school zone safety and provide long-term support to communities by making neighborhoods and school zones more ‘walkable.’ We hope that this new pedestrian safety resource will stimulate community action in improving environments for vulnerable road users.

Corporate and community responsibility is a core value for FedEx. We look forward to continuing to work with Safe Kids Canada to demonstrate our commitment to be the employer, shipper and neighbour of choice in Canada.

Rajesh Subramaniam
President
FedEx Canada

Contents

<i>Introduction</i>	1
<i>Executive Summary</i>	2
<i>Chapter One: Pedestrian Injuries</i>	
Scope of Child Pedestrian Injuries	6
Who is at Risk?	7
Injury Severity	8
Where Do Crashes Happen?	9
When Do Crashes Happen?	9
Why Do Crashes Happen?	9
<i>Chapter Two: How to Improve Pedestrian Safety</i>	
A Comprehensive Approach	14
Three E's – What Factors Can Be Changed?	
Education	18
Environment	20
Enforcement	23
Healthy Active Living	24
<i>Chapter Three: Creating the Action Plan</i>	
What is Your Role?	28
Developing an Action Plan	30
<i>Chapter Four: Making It Happen</i>	
Funding	38
Public Policy and Advocacy	38
Working with the Media	40
Involving Volunteers	43
<i>Chapter Five: Resources and Tools</i>	
Resources	
Injury Data and Information	46
Coalition Building	48
Public Policy and Advocacy	48
Planning and Design Resources	48
Evaluation	48
Education and Enforcement Programs	49

Contents

Chapter Five: Resources and Tools (continued)

Tools

Education	50
Key Child Pedestrian Safety Messages	50
Walking School Bus	51
Walkability Checklist	52

Environment

Traffic Calming Study Process	53
Traffic Calming Measures	54

Enforcement

Speed Survey	62
Parent Parking Patrol	64
Neighbourhood Observational Survey	65

Action Plan

Gathering Information	66
Plotting the Issues	67
Priority Setting/Strategies/Timelines	68

Evaluation

Formative	69
Process	70
Impact	73

Media

Media Plan	74
Media Advisory	75
News Release	76
Opinion/Editorial	78
Letter to the Editor	79

Appendices

Glossary	80
Toronto Pedestrian Charter	82

<i>Bibliography</i>	83

Introduction

Unintentional injuries are the leading cause of death and disability for Canadian children. The majority of these injuries are predictable and preventable.

Safe Kids Canada is the national injury prevention program of The Hospital for Sick Children. Our vision is to create a safe, injury free Canada for children and youth. As a national leader, Safe Kids Canada promotes effective strategies to prevent unintentional injuries. By building partnerships and using a comprehensive approach, we advance safety and reduce the burden of injuries to Canada's children and youth.

The aim of the Guide is to help you understand child pedestrian safety and to decide what to focus on to create an action plan that is based on evidence and tailored to the unique pedestrian safety in your community.

The Guide is designed to help you:

- understand how, why and where pedestrian injuries occur
- understand what a comprehensive approach is and why it is most effective
- examine your local pedestrian safety situation
- create a comprehensive action plan to improve pedestrian safety in your community

Community change is a process that can take a long time. Safe Kids Canada encourages you to view pedestrian safety improvement as a work-in-progress. In fact, long-term attention will strengthen each component of your pedestrian safety program by helping to sustain, build awareness and support over time. In addition, it will allow necessary resources to be allocated effectively as they become available. Use the part of the Guide that seems relevant and 'do-able' for your group at this time. We hope that the commitment to improve pedestrian safety in your community will be sustainable, and that this Guide will help make your community safer for pedestrians.

We believe that children, and indeed all pedestrians, have the right to safe walking routes and a safe environment in which to travel. Children are among the most vulnerable road users due to varying developmental maturity and the amount of walking they do. Research shows that educating children is only part of what needs to be done to reduce child pedestrian injuries. Improving road safety and enforcing policies and laws are *equally* necessary elements of an effective pedestrian safety initiative. Although this Guide focuses on child pedestrian safety, any changes and improvements made will benefit your community as a whole.

Companion Workshop Presentation

A workshop presentation has been developed and can be used in conjunction with this Guide. It follows the structure of the Guide and provides an opportunity for communities to customize some information, such as the picture of pedestrian injuries in your community. The presentation is particularly valuable at your first meeting to provide an overview of the Guide contents.

Executive Summary

Unintentional injuries are the leading cause of death and disability for Canadian children. Every week in Canada, on average – 80 child pedestrians are involved in a collision with a motor vehicle. At least one of them will die and 10 will have major injuries. In other words, **each year more than 4,000 children are hit by motor vehicles while playing outdoors or walking to school, to friends, to sports activities, or to a neighbourhood shop.**

Unless we can continue the downward trends, the next decade will see another 40,000 children injured and 600 die as pedestrians.

Not surprisingly, injuries to pedestrians are often severe. The surprising thing perhaps is that so many children survive their injuries. However, they often do so with long-term disabilities, resulting in months, years or a lifetime of emotional and financial burden on themselves and their families.

These deaths and injuries are predictable and preventable.

Improving pedestrian safety is best achieved using a comprehensive approach. **Educational, enforcement and environmental** strategies can address the factors that influence pedestrian safety at the individual and environmental levels. Evaluation research shows that programs that apply a *combination* of these strategies are more effective than programs that use any one strategy alone.¹ Although important in drawing attention to the issue(s) and achieving at least short-term benefits, *education alone is not enough to prevent injuries*. Both enforcement and environmental change are more complex and take longer to implement, but are *most effective* in achieving significant, long-term changes to behaviour resulting in decreased injury rate and/or severity.

Education can be achieved through public service campaigns (e.g., radio, television, posters), distribution of fact sheets and/or brochures as well as articles in newspapers. **Enforcement** refers to activities that reinforce existing laws or policies (e.g., police monitoring speeds).

Environmental change can include initiatives such as traffic calming (e.g., speed bumps, one-way streets).

There is no 'right' way to improve pedestrian safety. Examining the community's pedestrian safety situation and assessing available resources will help develop a program that is realistic, sustainable and has a greater potential for success. A nine step process will help to create a community pedestrian safety action plan:

1. Identify stakeholders and invite them to participate
2. Gather information
3. Build awareness and support
4. Conduct a community pedestrian safety audit
5. Create an action plan
6. Assess resources
7. Set priorities and decide who will do what and by when
8. Monitor and support
9. Evaluate

Building awareness and support (step 3) should be an integral part of the overall approach to developing a pedestrian safety program. At each step throughout the process, information should be shared with key stakeholders and the broader community. Feedback received throughout the process should be used to inform the final plan – making it truly a community developed solution.

Often, it is possible to incorporate or relate pedestrian safety initiatives to existing supported programs such as health active living strategies. Children should be encouraged to be safe while engaging in healthy activities.

Securing funding and other resources for pedestrian safety initiatives is one of the key components of a successful initiative. Support can be found through financial contributions, in-kind or donated services (e.g., space, transportation) as well as accessing community volunteers.

¹ Speller et al, 1998

Public policy and advocacy also play an integral role as they relate to enforcement as well as environmental activities. Building relationships with those who are responsible for making and enforcing transportation or safety-related policies, as well as with groups that can help advocate for change is essential.

Media support can be a useful part of the campaign by raising awareness of pedestrian safety issues among the community. A relationship with local media will allow the dissemination of information (education strategies) and may also help to garner support from the community for recommended environmental changes. There are a variety of ways to interact with media – advisories, news releases, articles, opinion/editorial pieces as well as letters to the editor. Developing a clear media plan will focus these activities.

Resources to access further information or related documents provide an expansion of the information contained in this Guide. Resources on injury data, coalition building, planning and design, evaluation, education program and advocacy and public policy have been provided.

Walkability checklist, neighbourhood survey, action plan documents and sample media materials are some of the tools that will make implementing a pedestrian safety program easier. In addition, step by step instructions for some activities, e.g., speed survey, have also been provided.

All of these pieces come together to provide communities who want to address pedestrian safety issues with a comprehensive Guide that will direct and support their activities.



Pedestrian Injuries

- Who is at risk
- Types of pedestrian-related injuries
- Severity of pedestrian injuries
- Where crashes happen
- When crashes happen
- Why crashes happen

Chapter One: Pedestrian Injuries

Pedestrian Injuries

Understanding who is most at risk for pedestrian injury, and where, when, and why pedestrian crashes occur is the first step to designing and implementing an effective community initiative to improve pedestrian safety. *Chapter One* provides information on the scope and risk factors of child pedestrian injuries. The following statistics define children as persons between the ages of 0 and 19.

Fact

A CHILD PEDESTRIAN IS KILLED BY A VEHICLE IN CANADA 60 TIMES A YEAR.

He is around 8 years old. He is likely to be from a low income neighbourhood. It is between 5 and 9 p.m. on an October day in an urban environment in Canada. There is no traffic signal where he crosses the road, but there may be crosswalk markings painted on the road. There is high traffic volume and a vehicle is travelling straight ahead and it is speeding. It is likely that he ran into the road while playing or was crossing at an intersection. He is hit by the vehicle and dies from his injuries.

This situation will be repeated in 6 days – and it is **100% preventable.**

Child pedestrians have shared in this progress, but still – every week in Canada, on average – 80 child pedestrians are involved in a collision with a motor vehicle. At least one of them will die and 10 will have major injuries. In other words, each year more than 4,000 children are hit by motor vehicles while playing outdoors or walking to school, to friends, to sports activities or to a neighbourhood shop. Unless we can continue the downward trends, the next decade will see another 40,000 children injured and 600 die as pedestrians.

Pedestrian safety is particularly important as communities strive to encourage active transportation in order to combat obesity and its health complications, along with air pollution and traffic congestion.

Researchers believe that one major reason for the decline in child pedestrian injuries is that children are walking less.³ A 1998 study found that, while almost half (45%) of Canadian children lived within 2 km of their school, less than one-third (29%) usually walked to school and only 2% usually cycled.⁴ Levels of obesity among Canadian children ages 7 to 13 have nearly tripled in the past 20 years.⁵ The need to ensure that children recapture active lifestyle habits – without increasing their risk of serious injury – has never been more vital.

Worldwide, road traffic crashes are the eighth leading cause of death, according to the World Health Organization (WHO).⁶ Due to the alarming increase in road related injuries, the WHO declared road safety the theme for the 2004 World Health Day.

Scope of Child Pedestrian Injuries²

Improvements in road safety and trauma care in Canada, along with changes in the ways we live and travel, have resulted in significant declines in deaths and injuries to pedestrians over the past decade. According to Transport Canada, deaths to pedestrians of all ages declined by 31% between 1991 and 2000, and non-fatal injuries decreased by 10%.

² Unless otherwise noted, all statistics are derived from the following sources:
Transport Canada, 2000
Transport Canada, 1998-1997
Transport Canada, 1998-2001

³ DiGiuseppi and Roberts, 1997 p. 710-713

⁴ Nicholson and O'Neill, 1999

⁵ Go for Green

⁶ Peden et al, 2003

WHO is at Risk?

0 to 4 year olds

There are relatively low numbers of deaths and injuries to toddlers and pre-schoolers from being struck by motor vehicles and there has been a major decline in pedestrian injuries in this age group. Deaths are down by more than 60% since 1991 and non-fatal injuries have been reduced by close to 50%. Still, this is a highly vulnerable age group because of their inability to understand the risks of cars and because their small size makes them less visible to drivers.

5 to 9 year olds

Pedestrian crashes continue to be the leading cause of injury death among children 5 to 9 years old in Canada.⁷ Non-fatal pedestrian injuries among this age group have also seen great decline – today there are half as many as there were in 1988 – and deaths have declined by two-thirds. Some of this improvement is likely due to reductions in the amount of time these children are walking on their own (e.g., they may be driven to school more often than in the past) or they may be better supervised when they are walking. Whatever the reasons, 5 to 9 year olds remain at high risk as pedestrians because their judgement and perceptual skills are still immature, yet they often eagerly try to cross streets on their own in order to demonstrate some independence.

10 to 14 year olds

Pedestrian injuries among older children and young teens have not seen such dramatic decrease in the past decade. Deaths among 10 to 14 year olds have declined by about 25% and non-fatal injuries by less than 10%. The reasons why these numbers have not improved more are not well understood and require further investigation.

Pedestrian deaths and injuries to Canadian children and adults – 2001 Data

Age	Deaths	Injuries
0-4 yrs	8	297
5-9 yrs	11	868
10-14 yrs	14	1,345
15-19 yrs	27	1,628
20+	273	9,337

[source: Traffic Accident Injury Database (TRAID), Transport Canada]

15 to 19 year olds

Among older teens, pedestrian deaths and injuries have decreased only by 10%. Older teens remain a particularly high risk group for pedestrian fatalities and injuries. This age group makes up about 7% of Canada's population but suffers more than 10% of pedestrian injury deaths.

Seniors

It is important to note that elderly Canadians are also at high risk for pedestrian injury and account for a disproportionate percentage of deaths. Adults 65 years and older make up about 12% of our population but account for more than 30% of pedestrian fatalities. Pedestrian safety for older adults is not the focus of this Guide; however, many of the strategies designed to improve safety for children will also benefit senior pedestrians.

Boys vs. girls

As with many other causes of injury, boys are injured as pedestrians more often than girls. This gender difference is most evident among 5 to 9 year olds, although the gender gap in this age group has closed in recent years. In 1988, boys aged 5 to 9 were three times more likely than girls to be killed as pedestrians. Today, boys are still more at risk than girls but the difference is quite small.

Among 10 to 14 year olds, the small improvements in pedestrian death and injury rates are due primarily to fewer injuries among girls. Boys in this age group have the same fatality rate as they did 15 years ago.

For older teens, the reverse is true. Boys 15 to 19 years old used to be twice as likely as girls to die as a result of pedestrian-related injuries, but this gap has narrowed substantially since 1988, as the boys' fatality rate has declined more sharply than the girls.

Socio-economic environment

Children living in low income neighbourhoods are more likely to be hit by motor vehicles. Many studies⁸ from different countries, including Canada, have reported that children from lower socio-economic backgrounds are at greater risk of pedestrian injury. Research in Montreal

found that pedestrian injury rates were nearly six times higher in lower socio-economic areas compared to wealthier neighbourhoods.⁹ This difference was related to the fact that children in lower income neighbourhoods cross more streets on their way to school (even though not all the injuries occurred on the trip to or from school).¹⁰ Researchers believe that the link is due to increased traffic flow and higher speeds in poorer areas.¹¹

Injury Severity

Not surprisingly, injuries to pedestrians are often severe. In the physics of a crash, the contest is heavily in favour of the motor vehicle, with its huge mass and high velocity. Even a slow-moving vehicle has a great deal more energy than does a walking person, much less a child. The surprising thing perhaps is that so many children survive their injuries. However, they often do so with long-term disabilities, resulting in months, years or a lifetime of emotional and financial burden on themselves and their families.

A study of 357 severely-injured children treated at The Hospital for Sick Children found that children injured as pedestrians were the most likely to require assistance in the functions of daily life (e.g., walking, dressing, using

**Pedestrian safety in context:
3 leading causes of injury death to Canadian children, 1998
(rate per 100,000 population)**

1-4 yrs	5-9 yrs	10-14 yrs	15-19 yrs
Drowning (2.02)	Pedestrian (1.07)	MV occupant (1.29)	MV occupant (7.08)
MV occupant (1.11)	MV occupant* (0.82)	Pedestrian* (0.69)	Pedestrian (1.66)
Pedestrian (1.05)	Drowning* (0.82)	Drowning* (0.69)	Drowning (1.95)

Causes marked with * have identical rates within age group. MV = motor vehicle
[source: Injury Surveillance On-Line, Health Canada, Health Surveillance and Epidemiology Division,
Centre for Healthy Human Development. <www.hc-sc.gc.ca>]

8 Carlin et al, 1997 p. 286-292

9 Dougherty et al, 1990 p. 204-209

10 Macpherson et al, 1998 p. 1840-1843

11 Roberts et al, 1995 p. 91-94

the bathroom, communicating) six months after the injury. Nearly three-quarters of pedestrians (72%) suffered functional disabilities, compared to 64% of child cyclists struck by cars, 59% of motor vehicle occupants, and 27% of children injured playing sports.¹²

Even if pedestrian injuries are becoming less common, prevention is vital because of the huge impact these injuries have on individual lives, as well as on our health care and rehabilitation systems.

WHERE Do Crashes Happen?¹³

Urban vs. rural

Overall, 70% of pedestrian fatalities in Canada occur in urban areas or on roads with speed limits less than 60 km/h. Among children under 15 years old, however, one in every three pedestrian crash deaths happens in a rural area.¹⁴ For youth and young adults, this figure is even higher – almost half of all pedestrian deaths occur in a rural area.

This is likely due to higher speeds on some rural roads, as well as lack of sidewalks and traffic control mechanisms such as traffic lights. For non-fatal injuries, more than 90% occur in urban areas. This is similar across all age groups.

Traffic control

In most cases, child pedestrians are struck where there is no form of traffic control. More than 70% of deaths and more than 50% of non-fatal injuries occur at locations with no traffic signals, crosswalks or stop signs. This may be because children were crossing mid-block or because they were walking in the road. Available data do not include details on the presence of sidewalks or play areas where crashes occur.

Environmental risk factors

Research shows that child pedestrian injuries are more likely to occur where the physical environment has these characteristics:¹⁵

- apartments buildings vs. single-family housing
- lack of adequate play areas
- lots of curb-side parking
- shared driveways
- main roads

WHEN Do Crashes Happen?

Most fatal pedestrian crashes occur between 5 and 9 p.m. and most non-fatal crashes happen between 3 and 6 p.m. Most crashes occur September to January, and this probably is related to a decrease in daylight hours. Researchers believe that driver's adjusting to decreased daylight is the main reason for increased collisions in the early evening and in the fall and early winter months.

WHY Do Crashes Happen?

There is no definitive research to indicate whether driver behaviour or child behaviour is most often the cause of a crash. In most cases, a combination of factors is involved. Risk factors for pedestrian crashes include:

- high traffic volume
- road speed limit of greater than 40 km/h
- high average vehicle speed
- child located on the road
- darkness
- rainy weather

Information gathered on individual crash circumstances and on child activity immediately before the crash provides insight into changes that could improve safety.

¹² Macpherson et al, 2003 p. 454-458

¹³ Unless otherwise noted, data cited in remainder of this chapter are from Transport Canada, 1988-1997

¹⁴ Rural roads are defined in these data as local, primary and secondary roads outside a metropolitan area or any road with speed limit greater than 60 km/h

¹⁵ Wazana et al, 1997 p. 295-304

Fact

"At 35 mph you are twice as likely to kill someone as you are at 30 mph."

UK's "Kill Your Speed" campaign poster, 2000

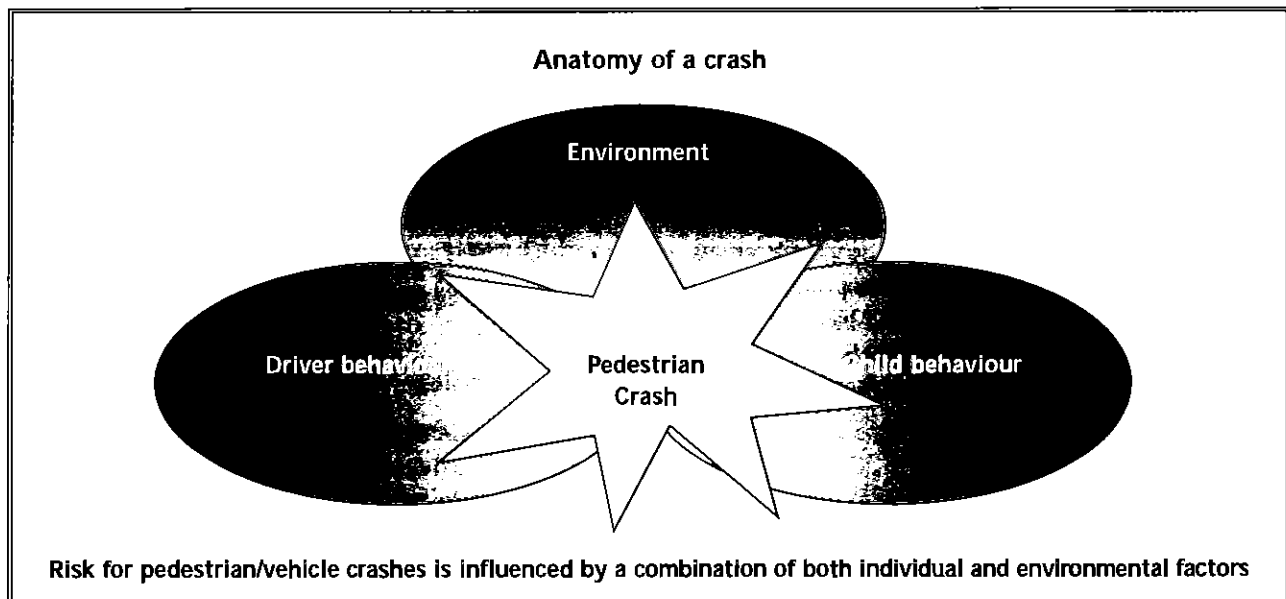
Speed of the vehicle is an important risk factor for pedestrian injury and is noted as a cause in a high percentage of crashes. Pedestrian crashes most often occur when cars are travelling straight ahead – probably because this is when vehicles are most likely to be going at, or above, posted speed limits. Traffic speed contributes to injury risk in two ways. First, at speeds above 30-40 km/h both drivers and pedestrians are more likely to make mistakes – in judging distances or time required to stop, for example. Second, the faster a vehicle is going, the worse the pedestrian's injury is likely to be.¹⁶

A number of studies have shown the strong correlation between traffic speed and pedestrian injury, for adults as well as children. One study, analyzing the neighbourhood traffic environments of school children, found that the children were 3.5 times more likely to be hit by a car if

they had to cross streets where average vehicle speeds were above 50 km/h on their usual way to-and-from school.¹⁷ Unfortunately, drivers often under-estimate their speeds. In one study which interviewed drivers who had just passed children on the sidewalk (playing with a ball or waiting to cross the road), most drivers said they would slow down to 40 km/h around children. In fact, they were actually travelling slightly above the posted limit of 50 km/h.¹⁸

Small reductions in vehicle speed can yield great reductions in injury risk – for example, it is estimated that a pedestrian struck by a car travelling at 50 km/h has an 80% chance of being killed, as opposed to a 10% risk at speeds of 30 km/h.¹⁹ Reducing vehicle speed is proven to be effective in preventing crashes and reducing the severity of injuries.²⁰

Transport Canada statistics, compiled from police data gathered at crash scenes across the country, help to paint a picture of pedestrian behaviour just before a child is hit by a motor vehicle.



¹⁶ Peden et al, 2004

¹⁷ Roberts et al, 1995 p. 169-171

¹⁸ Harré, 2003 p. 38-41

¹⁹ Peden et al, 2004

²⁰ Pless, 2000 p. 163-166

- For 5-9 year olds, 1 in every 3 crashes is preceded by the child attempting to cross at an uncontrolled intersection or running into the road; in 1 of every 7 crashes, the child enters the road from between parked cars.
- For 10-14 year olds, 1 in 3 crashes occurs at uncontrolled intersections; in 1 of every 7 *fatal* crashes, the child was walking on the road (either with or against traffic).
- For 15-19 year olds, 1 in 3 crashes occurs when the child is attempting to cross at an uncontrolled intersection; 1 in 7 crashes occurs when the child is crossing with a pedestrian right-of-way; and 1 in 12 occurs while the pedestrian is walking on the road, most often with (rather than against) traffic.

Pedestrian crashes result from a combination of individual and environmental factors. For example, driver behaviour is influenced by the road and traffic environment, including speed control measures such as speed bumps and traffic signals. Individual road crossing behaviour is influenced by environmental conditions such as convenient crossings, signs and traffic signals.

There is some evidence that driver knowledge and attitude and child knowledge can reduce the risk for pedestrian crashes. It is important to emphasize that increased child knowledge improves road behaviour in the *short term only* and this should be considered in planning your community pedestrian safety strategy. Education for pedestrian safety is discussed further in *Chapter Two: How to Improve Pedestrian Safety*.

Fact

Top 10 Child Pedestrian Injury Risk Factors

• driver behaviour (speed)	• child behaviour
• road environment (speed bumps, offset corners)	• pedestrian proximity to traffic
• intersection characteristics (traffic signals, length of time to cross)	• time of day and amount of daylight
• crosswalk characteristics (traffic signals, location of crossings)	• enforcement of driving rules
• sidewalks (continuous, both sides of street)	• adult supervision of child (appropriate to age)



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January 13, 2018

Moni Kahn
0984213 BC Ltd
Chemainus, BC

Re: Preliminary assessment of environmental impacts associated with proposed development of a Cannabis production facility on Lot 1, Plan 18744, 7827 Beaver Creek Road, Port Alberni

Introduction

Toth and Associates Environmental Services (Toth and Associates) were retained by 0984213 BC Ltd. to provide an overview assessment of the proposed construction of a marihuana production building on Agricultural Land Reserve (ALR) lands at the south end of the 7827 Beaver Creek Road, Port Alberni. The assessment was based on a review of the Alberni Clayoquot Regional District's maps and bylaws, preliminary McGill & Associates Engineering Ltd's civil design drawings, Lewkowich Engineering Associates Ltd's Geotechnical Assessment and the Preliminary Site and Soil Evaluation by Ron McMurtrie and Associates. The assessment also included a review of available provincial and federal agricultural and water quality guidelines.

Alberni-Clayoquot Regional District Zoning Bylaw 1971

The Alberni-Clayoquot Zoning By-law 1971 defines a Medicinal Marihuana Facility as a *"building or structure, approved and licensed by Health Canada, for the production, growing and incidental processing of medical marihuana, but specifically excluding storefront or retail outlet distribution of medical marihuana"*.

Approximately the southern 45 m of the subject property is zoned A1 (Small Holding District) with the remainder zoned A2 (Rural District). Based on the site plans, the facility would straddle both zones. Both the A1 and A2 zones allow for medical marihuana facilities provided that *"the facilities are located on a lot that is 2.43 hectares (6 acres) or greater in area and that the facilities are located a minimum of 30.48 metres (100 feet) from all lot lines"*.

Section 6.2 of the ACRD's Zoning Bylaw indicates that "Notwithstanding anything else contained in this By-law, except where relief is granted by the Water Resources Service of the Department of Lands, Forests and Water Resources, no building shall be constructed:

- a) Within 7.62 meters [25 feet] of the natural boundary of a lake or within 30.48 meters [100 feet] of the natural boundary of any other natural water course or source of water supply (other than a well, which is governed by the Sanitary Regulations, 1917)"

Beaver Creek Wetland

The subject property contains a portion of a large wetland area associated with Beaver Creek (Watershed Code: 930-137400-99500-05300). Beaver Creek is a documented fish-bearing watercourse that according to the Fisheries Information Data Queries website supports populations of cutthroat trout, steelhead and coho salmon. No information was found identifying the upstream extent of fish distribution in Beaver Creek.

The wetland consists of an extensive shrub dominated swampland (Figure 1) with extensive winter flooding and elevated winter water tables. Previous attempts to improve drainage on the subject property are visible on air photos as old ditch networks.

Beaver Creek Official Community Plan Bylaw No. P1291, 2013

Section 15.3 of the Beaver Creek Official Community Plan indicates that Farming activities on land within the ALR are exempt from requiring a development permit. According to Map No. 3 of the OCP the subject property is within a Riparian Areas Development Permit Area (DPA). According to Section 15.4 of the OCP the Riparian Areas DPA applies to all lands "within 30 metres of major streams and within 15 metres of minor streams".

Setbacks for the Riparian Areas DPA will be calculated as follows:

- a) for a river or major stream, a 30-metre strip on both sides of the stream measured from the high water mark;
- b) for a minor stream, a 15-metre strip on both sides of the stream measured from the high water mark;
- c) for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank; and
- d) for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank.

Within the Beaver Creek OCP area, "major streams" means the Somass and Stamp Rivers. "Minor streams" include but are not limited to Beaver Creek, Truman Creek, Mollet Creek, Plested Creek, Lugin Creek and all other named and unnamed creeks and all lakes and wetlands.

Therefore, based on Section 15.4 of the OCP, the setback from the Beaver Creek Wetland on the subject property is 15 m. This setback conflicts with the 30.48 m setback required under Section 6.2 of the Zoning Bylaw.

Riparian Areas DPA Guidelines

- i. Development or alteration should be planned to avoid intrusion into DPA I areas and to minimize the impact of any activity on these areas.
- ii. A QEP should be retained for the purpose of preparing a report detailing site conditions and describing any measures that must be taken in order to protect the riparian area.
- iii. Protective measures such as the planting or retention of trees or vegetation may be required to preserve, protect, restore or enhance streams, fish habitat or riparian areas.
- iv. In the absence of a report from a QEP, a minimum vegetated buffer of 30 metres between the high water mark and any building or structure should be preserved on major streams free from development, and 15 metres on minor streams.
- v. The total amount of impervious cover on property adjacent to a stream should minimize impact on the receiving aquatic environment. Consideration should be given to reducing

- impervious cover through reduction in building footprint and paved areas, exceeding the minimum riparian setback where feasible, and use of on-site infiltration.
- vi. The construction of a small accessory building such as a gazebo, garden shed or play house may be permitted if all the following apply:
- a) The building is located within an existing landscaped area;
 - b) No native trees are removed;
 - c) The building is located a minimum of 15 metres from the high water mark of a minor stream or 30 metres from the high water mark of a major stream; and
 - d) The total area of the structure is not more than 9.2 m².

The OCP notes that the provincial ministry responsible for agriculture has developed setback distances for farm buildings and streams on existing farmland and for new agricultural buildings according to the ministry's factsheet.

The Ministry of Agriculture's Factsheet: *Agricultural Building Setbacks from Watercourses in Farming Areas* indicates that for Category 3 and 4 Agricultural Buildings the recommended setbacks are 15 m from natural and channelized streams and 5 m from constructed channels and constructed ditches.

Health Canada

The review of Health Canada's regulatory requirements as they pertain to the potential impacts of marihuana production facilities on the receiving environment was largely fruitless. The regulatory and licensing requirements are primarily focused on the safety of the product for consumption and the security of the facility. Much of the available information on Health Canada's website has been archived and may no longer be relevant.

Pest Control Products Act

The Pest Management Regulatory Agency (PMRA) maintains a database repository of registered pesticides that are approved for use on marijuana.

As of September 13, 2017, there are 20 registered pesticides approved by PMRA for use on cannabis (marijuana) that is produced commercially indoors. They are:

- Actinovate SP
- Agrotek Ascend Vaporized Sulphur
- Bio-Ceres G WP
- Bioprotec Caf
- Bioprotec Plus
- Botanigard 22 WP
- Botanigard ES
- Cyclone
- Doktor Doom Formula 420 Professional Use 3-in-1
- Influence LC
- Kopa Insecticidal Soap
- Lacto-San
- MilStop Foliar Fungicide
- Neudosan Commercial
- Opal Insecticidal Soap

- Prestop
- Rootshield(R) WP Biological Fungicide
- Rootshield HC Biological Fungicide Wettable Powder
- Sirocco
- Vegol Crop Oil

Access to Cannabis for Medical Purposes Regulations

The following regulatory obligations must be met prior to selling Cannabis products:

- As per section 18 of the ACMPR, licenced producers are not permitted to use additives in the production of fresh or dried marijuana, or marijuana plants or seeds intended for sale. "An additive means anything other than marihuana but does not include any residue of a pest control product or its components or derivatives unless the amount of the residue exceeds any maximum residue limit specified for the product, component or derivative under section 9 or 10 of the Pest Control Products Act."
- Licenced producers must also adhere to section 66 of the ACMPR which states that "fresh or dried marihuana or marihuana plants or seeds must not be treated with a pest control product unless the product is registered for use on marihuana under the Pest Control Products Act or is otherwise authorized for use under that Act".

As such, licensed producers must ensure that no other products, other than the 20 approved pest control products, are applied to fresh or dried marijuana, marijuana plants or seeds, as part of their production practices. Licensed producers are advised that the use of any foliar spray containing, but not limited to, fertilizers, nutrients, or wetting agents applied on fresh or dried marijuana, marijuana plants or seeds is prohibited, as is any other product containing an unauthorized pest control ingredient.

Licensed producers are required to have adequate controls within their facility to ensure that unauthorized pest control products are not used. These controls may include, but are not limited to, restricting access to pest control products, monitoring the application of products to fresh or dried marijuana, marijuana plants or seeds, or testing for unauthorized pesticide use. Licensed producers are encouraged to review and implement an integrated pest management program as part of their Good Production Practices.

Agricultural Waste Control Regulation under the *Environmental Management Act*

Under the Code of Agricultural Practice for Waste Management, agricultural waste includes manure, used mushroom medium and agricultural vegetation waste. It does not include post process waste water.

Ministry of Agriculture's Discussion Paper

The Ministry of Agriculture's Discussion Paper and the Minister's Bylaw Standards Regulating Medical Marihuana Production Facilities in the Agricultural Land Reserve (March 2, 2015) indicates that the province has considered medical marihuana and decided that it is a farm use and should not be prohibited by local governments in the Agricultural Land Reserve (ALR).

The discussion paper states that scientific information on medical marihuana production is limited. Indoor marihuana production can be assumed to use energy, water and nutrients intensively. This crop, just like any other commercially produced indoor crop, is susceptible to

plant pests such as insects or diseases. Indoor production of medical marihuana is generally similar to greenhouse production of plants. In both cases the growing environment can be highly controlled. Production concerns regarding irrigation water, waste water and pesticide use for medical marihuana will also be similar to greenhouse production of other plants.

Water and nutrients are generally conserved through recirculation. All pest control products currently registered for use on medical marihuana have been reviewed and approved for registration by Health Canada as biopesticides. These products are the only ones that can be legally used to control pests on this crop. For a product to be classified as a biopesticide by Health Canada, it must:

1. have a very low toxicity to humans and to other non-target organisms such as birds and fish,
2. have low potential for contamination of groundwater, surface water or other valued environmental resources and
3. be highly compatible with integrated pest management.

Those areas where cannabis is present must be equipped with a system that filters air to prevent the escape of odours and, if present, pollen.

Site Soils and Drainage

The review of the preliminary site and soils evaluation by Ron McMurtrie and Associates indicated that the proposed development site is poorly drained and subject to a very high seasonal water table. Distinct soil mottling and gleying was noted at 8 – 15 cm depth in a massive silty clay layer with an estimated seasonal high water table of approximately 5cm to 15cm.

The preliminary site and soils evaluation indicated that on-site wastewater treatment, stormwater management, and the treatment and discharge of excess irrigation and processing water from farm operations will all place additional demands on a site that is already subject to poor drainage, and recommended that a qualified Groundwater Engineer or Hydro-geologist conduct a comprehensive evaluation in order to provide an integrated site design for the 3 water discharges (septic, storm and process water) as they are inter-related and they all rely on the soil for treatment and discharge.

The review of the geotechnical assessment report prepared by Lewkowich Engineering Associates Ltd. also confirmed that the site is subject to water tables that are at or near surface during the wet season. The geotechnical assessment recommended stripping of all unsuitable soils (depth 1.0 – 1.5 m), and placement of compacted structural fill.

Site Plan

The civil site plan prepared by McGill & Associates Engineering Ltd indicates that the proposed building will be located approximately 30 m from the natural boundary of Beaver Creek Wetland. The site plans indicate a significant sized detention pond and constructed wetland for the treatment of nutrient rich post production process waste water located within the 30 m aquatic setback.

Production Process

The proponent has indicated that the production process will include a total of 5,575 4 foot tall plants with a cycle of 6,022 gallons of nutrients every 4th day and 3 days of straight water with

10% run off. Total gallons of water used every day will be around 400 in bloom and 325 in vegetative growth.

Pesticides used in the process will include:

- Milstop Foliar fungicide
- Actinovate SP fungicide
- Opal Insecticidal soap
- Neudosan Commercial
- Kopa Insecticidal Soap
- Rootshield HC Biological fungicide wettable powder
- Rootshield WP Biological fungicide

All of the pesticides listed above are approved for use on Marihuana by the Pest Management Regulatory Agency.

Nutrients used in the process will include:

- Hog Nutrients
- Micro
- Grow
- Bloom
- Gold storm
- Black storm
- B Plus
- Cal Mag
- Jet fuel
- Kool bloom

Conclusion

The review of Lewkowich Engineering Associates Ltd.'s Geotechnical Assessment and the Preliminary Site and Soil Evaluation by Ron McMurtrie and Associates indicated that much of the proposed development area has an elevated winter water table, with a near surface impermeable soils layer. In order to develop the site and achieve floodplain construction level requirements, significant removal of unsuitable soils and import of structural fill will be required.

It is our understanding that the proposed retention pond and constructed wetland would likely be considered structures that are part of "*normal farm practices or farm operations*" as defined under the *Right to Farm Act*. As the Zoning Bylaw only restricts the location of "buildings", it appears that the retention pond and constructed wetland could be located within the watercourse setback.

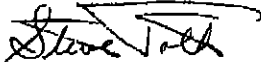
Without the results of a more comprehensive study of the site's ability to receive and treat post-production process water, particularly during winter when positive drainage may not be possible, I cannot provide comment on the potential impacts of post process discharge water on the receiving environment, other than to state that the objective will be to meet the *British Columbia Approved Water Quality Guidelines: Aquatic Life, Wildlife & Agriculture*. The adjacent shrub swampland receiving environment can be considered to have a high buffering capacity for treating run-off, and in coastal streams the limiting factor to production is most often low nutrient

levels, therefore slight increases in baseline nutrients such as Phosphorous and Nitrogen could actually result in increased baseline productivity in Beaver Creek.

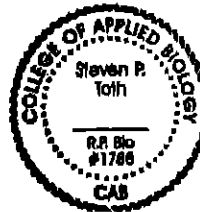
Based on our review, while there is an apparent high level of government focus and "hype" on the production of marihuana, particularly in terms of product quality control, safety, distribution and facility security, it appears that the production process itself is comparable with many other "hot bouse" crops. It is also apparent that, as marihuana production facilities are required to grow their product indoors within secure buildings, and do not utilize soil as a growth media, that this industry would likely be better suited to non-ALR zoned lands, such as a Light Industrial zone.

Please contact us if you require any additional information.

Sincerely,
Steve Toth, ASCT, R.P.Bio.



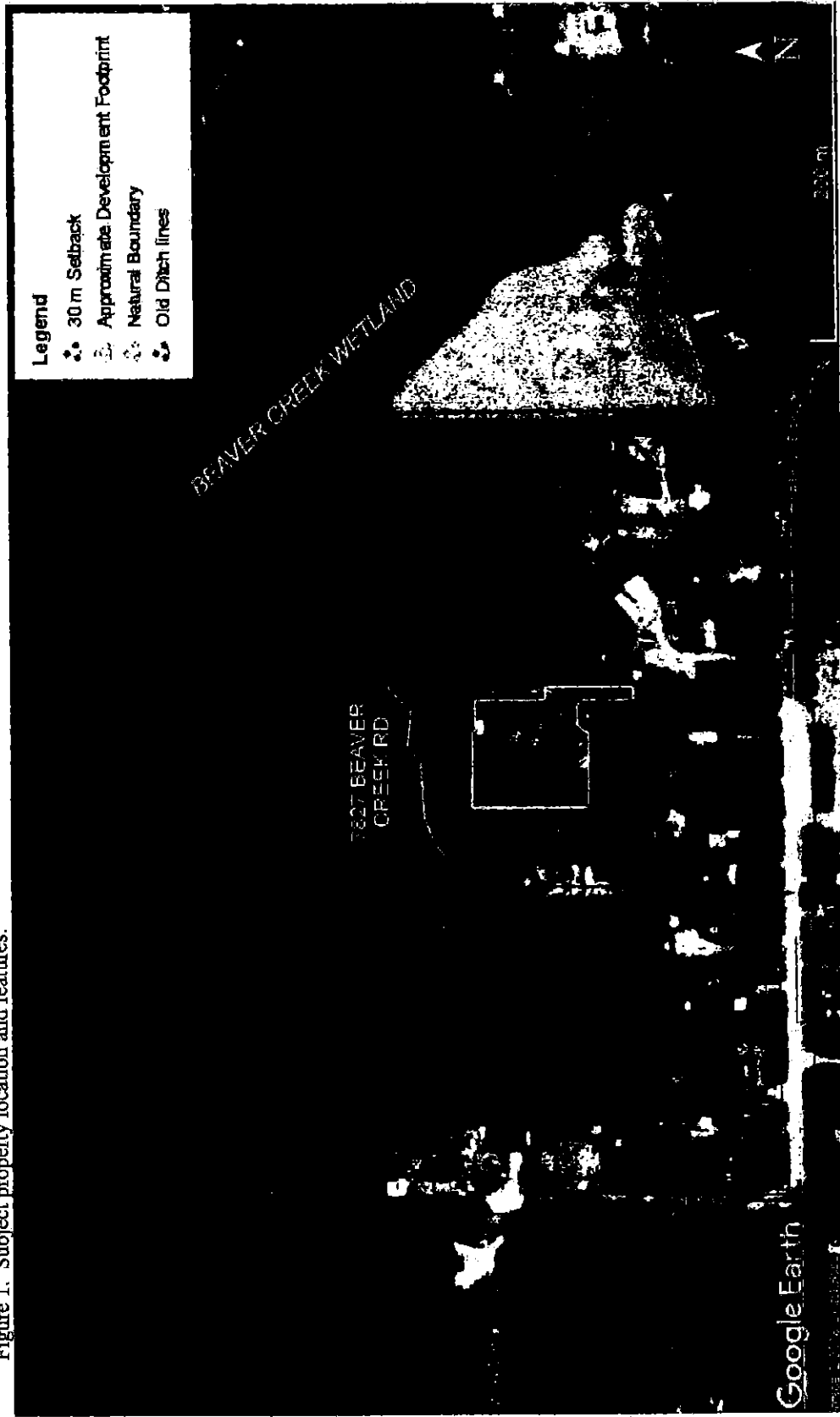
Toth and Associates Environmental Services



STATEMENT OF LIMITATIONS

This report was prepared exclusively for 0984213 BC Ltd by Toth and Associates Environmental Services. The quality of information, conclusions and estimates contained herein is consistent with the level of effort expended and is based on: i) information available at the time of preparation; ii) data collected by Toth and Associates Environmental Services, their contractors and/or supplied by outside sources; and iii) the assumptions, conditions and qualifications set forth in this report. This report is intended to be used by 0984213 BC Ltd only. Any other use or reliance on this report by any third party is at that party's sole risk.

Figure 1. Subject property location and features.



My name is Carolyn Thibodeau. I have come here again tonight to urge the ACRD to use the power that they have to refuse to grant a permit to begin construction to the industrial cannabis facility that is being planned for beaver creek road. I am further requesting that the line included in this proposed bylaw that exempts an medicinal cannabis production that was "commenced to be constructed, after September 1 2019" be removed in order to ensure that all districts within the ACRD are treated equally and offered the same protections by it. My family's home is located 107m from the proposed site of the Premium Cannabis Meds BC industrial facility on Beaver Creek Road. Myself, my neighbourhood and Kackaamin have been fighting against the imposition of this facility into our neighbourhood for over two years. We have been working with Patrick Canning, an environmental lawyer, through a grant from West Coast Environmental Law's Environmental Dispute Resolution Fund, and we have done extensive research and government outreach in order to ensure that what we are requesting of the ACRD here tonight is legal and achievable. I will be submitting to you this evening copies of letters from both the Ministry of Municipal Affairs and Housing and the deputy Minister of Agriculture that support my comments here tonight. To quote Minister Shoemaker in his letter "I can confirm that the decision to allow or refuse cannabis production methods not listed in the Regulation (ie, new concrete floored structures) on properties in the ALR is strictly a decision of local government". Our lawyer contacted the ALC last week to get clarification as to whether the ACRD has any basis on which to justify your insistence that this facility cannot be stopped now that they have approved the fill replacement application. Martin Collins from the ALC has made it very clear the approval of the fill application doesn't stop you from prohibiting concrete floored structures, including this one. I will submit a copy of the email chain that explains this point. Please listen to the comments being made here tonight. Hundreds of local residents have made themselves clear on this issue for over 2 years. We do not want industrial cannabis facilities located in our neighbourhoods or on our farmlands. You have both the power and the mandate to ensure they be built in the appropriate locations. We urge you to use this power in a way that is equitable for all districts.

We have all read lots of often conflicting information in the local media regarding this proposed cannabis facility. We have read that the developer has her health Canada license and that she doesn't. We have read that this facility will offer up to 300 jobs, and recently we have read that it will have a 19 stall parking lot as it'll only require a few employees. Research into cannabis facilities of this size dictates that it will require a maximum of 6 employees per shift. What is not up for debate however, and what has never changed is that it will be located across the street from Kackaamin, which employs more than 30 people and has invested over \$10 million into their facility. Those jobs and that investment are all at risk because of this proposal. Kackaamin should have been informed and consulted. We all should have.

Those of us living in Beaver Creek have been dealing with this issue for over two years. Throughout this time we have been fearful that the mistakes being made in the handling of this application would be learned from in order to protect other districts from this type of potential exploitation, but not our own. The fact that we are all here this evening in order to ensure all other neighbourhoods be offered protections and the chance, as Alex Dyer has stated "to have neighbourhood conversations" about any potential cannabis operations, while claiming helplessness with regard to this original proposal, proves the validity of those fears. We have the same rights as all other districts. We deserve the same protections. We have always deserved the right to have a "neighbourhood conversation". You should never have denied us that right to begin with. Please remove the line from the bylaw that grandfather's in the industrial facility on Beaver Creek Rd. It is the only way to ensure you are treating all districts fairly. ~~Please~~ We urge you to

bring this information to your lawyer so you can begin working proactively on our behalf to ensure we are protected from the harms presented by this facility.
 * Grandfathering is triggered by starting construction - not applying for a permit



November 14, 2019

File: 0280-30

Ref: 191005

Carolyn Thibodeau

Email: carolynthibodeau@yahoo.ca

Dear Carolyn Thibodeau:

Thank you for your email dated October 5, 2019, addressed to Ministry of Agriculture staff Robert Boelens and Dave Townsend, with respect to a proposed cannabis production facility west of Port Alberni on a property within the Agricultural Land Reserve (ALR). As the Deputy Minister of Agriculture, I am pleased to respond on the Ministry's behalf.

On July 13, 2018, the Province passed an amendment to the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (the 'Regulation') with regards to cannabis production in the ALR. The amendment was developed in response to local government requests for authority to prohibit certain methods of cannabis production in their jurisdictions. The Province heard these concerns and developed a responsive amendment with the purposes of the *Agricultural Land Commission Act* and ALR in mind.

The amendment strikes a balance between four things:

- Preserving the productive capacity of the ALR;
- Acknowledging the legalization of non-medical cannabis;
- Respecting the citizen's Charter-protected right to access medical cannabis; and,
- Recognizing the need for flexibility at the local level.

The new wording in the Regulation defines cannabis production as a farm use that local governments cannot prohibit if grown lawfully:

- in an open field;
- in a structure that has a base consisting entirely of soil; or,
- in a structure that was either fully constructed or under construction prior to the amendment. The structure cannot be altered to increase the size of its base or change the material used as its base.

With this amendment, the Province has provided more authority to local and First Nation governments to prohibit certain methods of cannabis production in their respective jurisdictions.

.../2

Specifically, local and First Nations governments can now prohibit cannabis production in new concrete-floored structures in the ALR. The regulatory amendment does not provide authority to prohibit operation of an existing cannabis facility that pre-dates the amendment or was under construction at the time of the amendment, or the transitioning of cannabis into an existing building.

With respect to your comment about being directed to the Alberni-Clayoquot Regional District when contacting other government departments/agencies with concerns related to cannabis production, I can confirm that the decision to allow or refuse cannabis production methods not listed in the Regulation (i.e. new concrete-floored structures) on properties in the ALR is strictly a decision of local government.

Health Canada also plays a central role in regulating cannabis production facilities in British Columbia. As per the federal *Cannabis Act*, prospective cannabis producers can only apply for a production license after the cannabis production facility itself is fully constructed. Production license applications to Health Canada are rigorously reviewed for consistency with the *Cannabis Act* and its associated regulations and must adequately address issues such as odour abatement, security requirements and the handling of plant waste.

Thank you for writing and sharing your concerns with Ministry of Agriculture staff.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Shoemaker', followed by a horizontal line extending to the right.

W.H. (Wes) Shoemaker, MBA
Deputy Minister



November 14, 2019

Ref: 250446

Dear Carolyn Thibodeau,

Thank you for your email dated October 5, 2019 to the Honourable Selina Robinson, Minister of Municipal Affairs and Housing, regarding a proposed cannabis production facility located at 7827 Beaver Creek Road in Port Alberni. Minister Robinson has requested that I respond on her behalf. I apologize for the delay in responding.

As you may know, the regulation and licensing of cannabis production facilities is primarily a federal responsibility, and the regulation of cannabis production at the provincial and local government level takes place within the broader federal legislative framework.

Local governments are responsible for making land use decisions that balance the interests of their communities and are accountable to the electorate for the decisions they make, including land use decisions that may be related to the location of cannabis production facilities.

In your letter, you note a number of specific concerns that relate to environmental sensitivities with the land as well as the location of nearby uses that you consider inconsistent with the location of the proposed facility. It is within the purview of local governments to prohibit certain cannabis production methods in their jurisdiction, and to allow or refuse a proposed cannabis production facility. In addition, local governments have tools to protect environmentally sensitive and riparian or flood hazard areas through development permits.

The Local Government Act provides procedural rules for adopting or amending zoning bylaws including the requirement for a public hearing that are applicable where land is to be rezoned as part of a development application. At a public hearing, people who believe that their interest in property may be affected by the proposed bylaw must be afforded a reasonable opportunity to be heard or to present a written submission. The local government may waive the holding of a public hearing if the proposed bylaw is consistent with the official community plan for the area. Once the zoning bylaw is adopted, proposals that meet the requirements of the zoning bylaw may also be approved by the local government without further public consultation.

Land that is in the Agricultural Land Reserve (ALR) may be subject to additional rules. Cannabis production is considered a farming practice consistent with ALR land use. Specifically, local governments may not prohibit cannabis production in an open field or in a structure that has a base consisting entirely of soil. Since July of 2018, local governments may prohibit new cement based

structures for cannabis production. It is our understanding that you have been in contact with the Ministry of Agriculture with respect to the proposed cannabis production facility on ALR land and you will receive a response from them shortly.

More information on cannabis production in the ALR may also be found in this publication from the Agricultural Land Commission https://www.alc.gov.bc.ca/assets/alc/assets/legislation-and-regulation/information-bulletins/information_bulletin_04_cannabis_production_in_the_alr.pdf.

As I noted above, in general, land use decisions fall within the jurisdiction of the relevant local government, in this case the Alberni Clayoquot Regional District. Such decisions may be subject to additional rules if the land is in the ALR. I encourage you to continue to work with your local representatives to provide input as they give consideration to the challenge of balancing land use decisions around cannabis production, as they will benefit from a full understanding of the potential environmental, economic and social implications of cannabis production.

Thank you again for writing to Minister Robinson to advise her of your concerns.

Yours truly,



KARA WOODWARD
SENIOR DIRECTOR
LOCAL GOVERNMENT POLICY, RESEARCH AND LEGISLATION UNIT
LOCAL GOVERNMENT DIVISION
MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING
(778) 698-3465
KARA.WOODWARD@GOV.BC.CA

cc Anna North, Director, Policy, Agriculture Science and Policy Division

----- Forwarded message -----

From: **Collins, Martin J ALC:EX** <Martin.Collins@gov.bc.ca>
Date: Tue, Feb 18, 2020 at 1:22 PM
Subject: RE: FW: ALC Application 58261 - Port Alberni/ACRD
To: Patrick Canning <patrick.c.canning@gmail.com>

Patrick

The ALC's approval would have no affect on whether the ACRD's bylaw is amended to prevent the facility from being constructed. The most restrictive rule applies.

Regards

Martin Collins
Director of Policy and Planning
Agricultural Land Commission
#201, 4940 Canada Way, Burnaby, BC V5G 4K6
Phone: 236 - 468-1884
martin.collins@gov.bc.ca

From: Patrick Canning [<mailto:patrick.c.canning@gmail.com>]
Sent: Tuesday, February 18, 2020 1:11 PM
To: Collins, Martin J ALC:EX
Subject: Re: FW: ALC Application 58261 - Port Alberni/ACRD

Hello Martin,

Thank you so much for your reply. That is helpful. The ACRD is actually making a new bylaw (P1399), which is the subject of tonight's public meeting. It prohibits Cannabis growing in concrete floored structures in the ALC. But it has a "grandfathering" date of Sept 2019, which may allow the proposed Beaver Creek facility to go ahead, as the only exception to their new rules.

I would just like to be clear that nothing the ALC has done, specifically in approving the placement of fill for this facility, prevents the ACRD from changing that grandfathering date so that the facility cannot go ahead. Is that correct?

Sincere thanks,
Patrick

On Tue, Feb 18, 2020 at 9:27 AM Collins, Martin J ALC:EX
<Martin.Collins@gov.bc.ca> wrote:

Patrick

Kendall Andison forwarded your query to me.

As per Section 4 and Section 8 of the ALC Regulation

Farm uses that may not be prohibited

4 The farm uses referred to in this Part may not be prohibited

(a) by a local government enactment except a bylaw under section 552 [*farming area bylaws*] of the *Local Government Act*, or

(b) by a first nation government law, if the activity is conducted on settlement lands.

Cannabis

8 (1) The use of agricultural land for producing cannabis lawfully may not be prohibited as described in section 4 if the cannabis is produced

(a) outdoors in a field, or

(b) inside a structure that, subject to subsection

(2), has a base consisting entirely of soil.

(2) The use of agricultural land for producing cannabis lawfully may not be prohibited as described in section 4 if the cannabis is produced inside a structure that meets both of the following conditions:

(a) the structure was, before July 13, 2018,

(i) constructed for the purpose of growing crops inside it, including but not limited to producing cannabis lawfully, or

(ii) under construction for the purpose referred to in subparagraph (i), if that construction

(A) was being conducted in accordance with all applicable authorizations and enactments, and

(B) continues without interruption from the date it began until the date the

structure is completed, other than
work stoppages considered reasonable
in the building industry;

(b) the structure has not been altered since July 13,
2018 to increase the size of its base or to change
the material used as its base.

As can be seen from the above regulations, the local government can prohibit "new" concrete based cannabis structures if it chooses to do so (as per an adopted bylaw). As far as I am aware the Regional District of Alberni Clayoquot has not chosen to do so. You should speak with the Regional District to discover whether a cannabis regulation bylaws is anticipated.

The ALC considers cannabis a "farm use" and in the case of the facility in question permitted the fill necessary for the cannabis growing structure.

If you have any questions, feel free to call me.

Regards

Martin Collins
Director of Policy and Planning
Agricultural Land Commission
#201, 4940 Canada Way, Burnaby, BC V5G 4K6
Phone: 236 – 468-1884
martin.collins@gov.bc.ca

From: Patrick Canning [mailto:patrick.c.canning@gmail.com]
Sent: Thursday, February 13, 2020 3:50 PM
To: ALC Island Land Use ALC:EX
Cc: Robinson, Lisa; Carolyn Thibodeau
Subject: ALC Application 58261 - Port Alberni/ACRD

Hello Ms. Andison,

I am counsel for Kackaamin, a nationally-renowned Indigenous family-based addictions treatment facility, and Community Health Over Killing Our Environment Society (CHOKES). I am writing seeking clarification on a simple question.

The above application for fill in the ALR has recently been approved by the ALC. The ACRD is in the process of revising their related bylaws. The

ACRD is taking the position that they cannot regulate the above concrete-floored facility because it has been approved by the ALC.

My understanding is that the ALC only approved the placement of fill, and that the ACRD still retains authority to regulate concrete-floored facilities, as per s. 8 of the Agricultural Land Reserve Use Regulation.

Considering that construction has not begun, it is therefore my understanding that there is nothing stopping the ACRD from regulating concrete-floored cannabis facilities in the ALR, including this one. In other words - if the ACRD wished to do so in their new bylaw, they could prohibit concrete-floored cannabis facilities in the ALR and ACRD, including this one.

Please let me know if I am correct or mistaken.

Thank you, and best regards,

Patrick

--

Patrick C. Canning

Barrister and Solicitor

PO Box 312

F5 - 480 North Rd.

Gabriola, B.C.

V0R 1X0

<https://patrickccanning.wordpress.com/>

Tel.: (778) 875-4897

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6491 Beaver Creek Road
Port Alberni, B.C.
V9Y 8L5

February 18, 2020

Alberni-Clayoquot Regional District,

APPENDIX 'I'

Dear Sirs:

My name is Phyllis Rossignol, I live on Beaver Creek Road near Hills Road adjacent to a ^{large} cannabis grow-op. constructed without consultation with the neighbours & built without a building permit. ~~It~~ ^{It} emits smoke-like fumes; each morning as I open my back door to go to feed my animals, the terrible smell of cannabis hits me as I start my day. I feel helpless hopeless and feel that I cannot change my situation without help from the ACRD, creating and enforcing new bylaws to control odor emissions, noise & waste control. For over 2 years I have had a run-around between the Federal Gov (Health Canada) and ACRD. No-one wants to take responsibility.

- Between Xmas & New Years PA had an invasion of air and little wind & so the emissions stayed & increased to an unbearable level. I phoned ACRD & asked Mr. Dig to come out or send someone to verify how bad the smell was. He referred me to Health Canada who then stated that cannabis smell is not their responsibility but is the responsibility of municipal and regional district. Mr. Dig verified what Health Canada had told me & sent a person out to check the smell which he said was very bad. ~~On~~ That day on talking with the grow-op owner, I said the smell is really bad you need to get a filter on the emissions. He responded

to me - "I don't need to do anything and I'm not going to." A woman ^{person with} ~~on the site~~ told me to "mind your own Fring business".

Canadian cannabis ~~now~~ requires no smell to be on the outside of a medical or designated grower site.

I realize that ACKD will reap taxation. ~~It~~ from cannabis production in the Alberni area, and jobs will be created as cannabis production expands. But, regulation of cannabis ^{production} smell, noise & waste control must ~~also~~ be regulated or else we will again be the stinky place like we were in the days of the pulp mill smell, and no-one wants that again -

Mt. Vancouver is currently creating by laws for control of cannabis odor & plan to have them ~~effective~~ by the end of the year -

Charcoal filters to control emissions so there will be no smell outside the grow-op buildings. ~~negative ion generators~~ & negative pressure to keep odor inside. Kelowna, Kamloops, are creating odor bylaws.

We also need bylaws to regulate waste management of grow-op sites. Last Summer I needed to contact RRAP & the Beaver Creek Fire Dept because of a huge cannabis burn-pile - about 8 ft high, 12 feet wide with a propane tank & hose leading to the burnpile. RRAP sent the conservation officers to advise the grow-op owners that they could not burn their waste in the burnpile as they are a business & they would receive a heavy fine if they did. Cannabis waste is supposed to be put in water then added to Kinky litter & taken to the dump.

Noise also needs to be regulated especially when a grow op is in a residential area. Noise affects neighbors sleep and the constant humming of machines can be very irritating especially in summertime when neighbors wish to enjoy their outdoor property or open their windows.

Restrictions of emissions to be discharged no closer than 200 meters to land zoned for residential use, hospitals, schools, daycares, playgrounds & senior care facilities.

Respectfully submitted
S. Goss-Groff

Public Hearing on cannabis Feb 2020

At the last public hearing on this issue it was very clear that the message directed to the ACRD was that the residents of all rural areas do not want commercial large scale grow ops anywhere near their homes. Now they have dragged an almost identical proposed bylaw back here ???

It is now very clear that our elected directors and the planning staff are not doing their job in responding to our concerns. The big issue here is the Agricultural Reserve Lands which in the opinion of our planning staff are exempt from regional control. They refer to legal advice they have been given. It is obvious that this is just an opinion because the the Comox Valley Regional District is taking a totally different approach in not allowing any cannabis cultivation until their Official Community Plans can be updated. This response might be due to a B.C. Supreme court decision that upheld the OCP as the primary reference that a regulator must follow. Large scale cannabis grow ops have no zoning reference in our current OCPs. Therefore before any permits are granted the OCPs must be updated by normal public input process. I suggest that we hire the legal advisors that the Comox regional district uses!

Recent changes to the act gives local governments more ability to enact controls like setbacks etc. so they likely have tools available that they seem to not know how to use

Inso far as the Agricultural land Commission determination that cannabis is an approved agricultural crop, that is not written in stone. Recent backtracking from the ALC around the secondary residence laws { that appeared to be non negotiable} indicates that ruling on cannabis on ALR land is likely to be altered because of intense public pressure. Remember we have a minority provincial government ,they lose one seat they are out !..... This could be the riding

Those residents living in the "agricultural land reserve" are now being treated as second class citizens by being told that the same rights of homeowner protection that everyone else is entitled to do not apply to them. I wonder how that would stand up in the face of a class action law suite especially if the districts that have adopted a wait and see policy are successful

There are many other issues to sort out. For example who is going to enforce odour or other infractions to license requirements and how quickly will that happen.? Experiences in other areas encountering these problems are not encouraging. !

The Comox valley regional board has made a very wise decision to protect its residents by waiting till all the chips fall before committing to any foolish ventures like the ones being forced upon us here in Alberni Valley. The smart way to go here is to adopt an identical policy, and that would likely encourage other regional districts and municipality's to do the same which enhances the likelihood of success

Submitted by Wayne Smith 250-723-8988 or waynecarrie@shaw.ca

3000 Mozart Rd.

Port Alberni

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

CANNABIS PRODUCTION FARM BYLAW

2019 NO. 5496

EXPLANATORY NOTE

*Farming Area
Bylaws*

Bylaw 2019 No. 5496 provides a Farm Bylaw pursuant to Sections 481, 551, 552 and 553 of the Local Government Act to regulate cannabis production as a farm use in the Agricultural Land Reserve in the Township of Langley.

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

CANNABIS PRODUCTION FARM BYLAW

2019 NO. 5496

WHEREAS Sections 481, 551, 552 and 553 of the Local Government Act authorize the Township of Langley to make Farm Bylaws in relation to farm areas with the approval of the Minister of Agriculture;

AND WHEREAS Council considers that regulation is desirable to regulate cannabis production as a farm use in the Agricultural Land Reserve in the Township of Langley;

NOW THEREFORE, the Municipal Council of the Corporation of the Township of Langley, in Open Meeting Assembled, ENACTS AS FOLLOWS:

Title

1. This Bylaw may be cited for all purposes as "Township of Langley Cannabis Production Farm Bylaw 2019 No. 5496".

Severability

2. If any part, section, sub-section, clause or sub-clause of this Bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, it shall be severed and the validity of the remaining provisions of this Bylaw shall not be affected.

Definitions

3. In this Bylaw, unless the context otherwise requires:

"Accessory Cannabis Processing" means an accessory use to Cannabis Production and includes the drying, sorting, trimming, chopping, testing, packaging, storage or wholesale distribution of cannabis, but does not include secondary processing of cannabis including but not limited to the production of oils, creams, health products, and food and beverage products.

"Agricultural Land Reserve" means land designated as the Agricultural Land Reserve by the Government of British Columbia.

"Buffer" means a device or feature arranged and maintained to screen or separate adjoining land uses or properties, and includes any combination of setbacks, vegetation, ditches, roads, landscaping, berming, and fencing.

"Building" has the meaning ascribed to it in the Township of Langley Zoning Bylaw 1987 No. 2500, as amended.

"Cannabis Retail and Dispensary" means premises used for the retail sale, barter, distribution or dispensing of cannabis or any products containing or derived from cannabis, or the advertising or offering of such items for retail sale, barter, distribution, or dispensing, and includes a cannabis spa/health clinic and other personal services that use cannabis or any products containing or derived from cannabis.

"Cannabis Production" means the growing and cultivation of cannabis.

"Cannabis Research and Development" means the systematic research or technical or scientific development of cannabis or any products containing or derived from cannabis, and may include a research laboratory, but does not include Cannabis Production.

"Dwelling Unit" has the meaning ascribed to it in the Township of Langley Zoning Bylaw 1987 No. 2500, as amended.

"Local Contact Person" means an individual associated with a Cannabis Production operation who is responsible for responding to air quality management issues on the Site.

"Site" means a farm operation located on a lot or contiguous lots upon which cannabis is grown.

"Stormwater" is any precipitation converted to surface runoff water.

"Structure" has the meaning ascribed to it in the Township of Langley Zoning Bylaw 1987 No. 2500, as amended.

"Wastewater" is any water emanating from the cannabis production process, including process water and sanitary sewage.

Application

4. For clarity:

- a) This Bylaw applies only to areas where "Agricultural Use" is a permitted use pursuant to the Township of Langley Zoning Bylaw 1987 No. 2500, as amended, and that are within the *Agricultural Land Reserve* in the Township of Langley.
- b) Subject to the provisions of this Bylaw, *Cannabis Production* and *Accessory Cannabis Processing* are permitted uses of land within the *Agricultural Land Reserve* in the Township of Langley.
- c) Notwithstanding any provision of this Bylaw, *Cannabis Retail and Dispensary* and *Cannabis Research and Development* are not permitted within the *Agricultural Land Reserve* in the Township of Langley.

Conditions for Cannabis Production

5. *Cannabis Production* must comply with the following requirements:

- a) the person producing cannabis must hold a valid licence that authorizes the applicable *Cannabis Production* activities at the *Site*, issued by the Government of Canada;
- b) *Cannabis Production* is only to be conducted within the *Agricultural Land Reserve*;
- c) *Cannabis Production* must comply with all applicable legislation and regulations of the Government of Canada, the Government of British Columbia, the Metro Vancouver Regional District, and the Township of Langley;
- d) the *Site* on which *Cannabis Production* takes place must have a valid water license issued by the Government of British Columbia, if applicable, and the person producing cannabis must comply with Township of Langley Waterworks Regulation Bylaw 2008 No. 4697, if applicable;
- e) *Cannabis Production* must be conducted in a zone where "Agricultural Use" is a permitted use, pursuant to the Township of Langley Zoning Bylaw 1987 No. 2500, as amended;
- f) the person producing cannabis must hold a valid business licence issued by the Township of Langley; and
- g) the person producing cannabis must designate a *Local Contact Person* who is responsible for:
 - o ensuring that the air quality management system is operated according to the design specifications; and
 - o responding promptly should air quality management issues arise.

6. *Cannabis Production* must only occur outdoors in a field or inside a *Structure* that:

- a) has a base consisting entirely of soil, or
- b) that was, before July 13, 2018,
 - i) constructed for the purposes of growing crops inside it, or
 - ii) under construction for the purpose referred to in Section 6(b)(i), if that construction
 - 1) was being carried out in accordance with all applicable authorizations and enactments, and
 - 2) continued without interruption from the date it began to the date the structure is completed, other than work stoppages considered reasonable in the building industry, and

that has not been altered since that date to increase the size of its base or to change the material used as its base.

Cannabis Farm Standards

7. *Cannabis Production and Accessory Cannabis Processing* must meet the following farm standards:

- a) *Buildings or Structures* in which *Cannabis Production and Accessory Cannabis Processing* activities take place must be setback a minimum of:
 - i) 100 metres from the *Agricultural Land Reserve* boundary;
 - ii) 30 metres from top of bank of all watercourses identified in Map 11 – Watercourse Classification in the Township of Langley Official Community Plan (Bylaw 2013 No. 5000), as amended;
 - iii) 30 metres from all domestic water supply intakes;
 - iv) 30 metres from all property lines; and
 - v) 200 metres from all daycares, schools, parks, places of worship, community care facilities, and Langley Memorial Hospital, measured from nearest property line;
- b) Where a parcel adjacent to the *Site of Cannabis Production* has a *Dwelling Unit*, a *Buffer* shall be installed. The *Buffer* must be designed and maintained according to Ministry of Agriculture standards for farm-side *Buffers*, including but not limited to:
 - i) a minimum width of 6 metres;
 - ii) a minimum height of 6 metres at maturity;
 - iii) a vegetative *Buffer* may be:
 - i. a double row of evergreen conifers with staggered planting;
 - ii. a mixed, staggered planting of deciduous/coniferous tree and hedging/screening shrub species with foliage from base to crown and a minimum of 60% evergreen conifers; or
 - iii. a berm with hedging/screening shrubs.
 - iv) crown density of vegetative *Buffers* must be 50-75% at maturity.
- c) submission and implementation of an air quality management plan, as outlined in this Farm Bylaw; and
- d) submission and implementation of a *Stormwater* management plan and *Wastewater* management plan, as outlined in this Farm Bylaw, if the total impervious area of farm buildings and structures exceeds 3,700 square metres or covers more than 10% of the *Site*.

Accessory Cannabis Processing

8. *Accessory Cannabis Processing* is permitted accessory to *Cannabis Production* and must meet the following requirements:
- a) the person processing cannabis must hold a valid licence that authorizes the applicable *Accessory Cannabis Processing* activities at the *Site*, issued by the Government of Canada;
 - b) *Accessory Cannabis Processing* must comply with all applicable legislation and regulations of the Government of Canada, the Government of British Columbia, the Metro Vancouver Regional District, and the Township of Langley;
 - c) *Accessory Cannabis Processing* must occur inside an enclosed *Building* or *Structure* equipped with an air quality system; and
 - d) the floor area used for *Accessory Cannabis Processing* is limited to the smallest of:
 - i. 20% of the floor area used for *Cannabis Production*;
 - ii. 2,000 square metres; or
 - iii. a maximum area prescribed by the Agricultural Land Commission, BC Ministry of Agriculture, or Government of Canada.

Management Plans

9. An air quality management plan shall be submitted at the time of building permit application, business licence application, or business licence renewal, whichever comes first, and shall include:
- a) a description of the *Site*, including:
 - i) the name of the *Site* and location (street address) where *Cannabis Production* occurs; and
 - ii) the full name of the *Local Contact Person* and contact phone number;
 - b) a description of the air quality system designed and certified by a Professional Engineer, licensed in the Province of British Columbia and familiar with air quality systems:
 - i) to be installed in all *Buildings* or *Structures* in which *Cannabis Production* and *Accessory Cannabis Processing* activities take place;
 - ii) to meet a standard prescribed by the British Columbia Farm Industry Review Board or Metro Vancouver Regional District, whichever is greater; and
 - iii) to comply with all applicable air emission requirements of government agencies and ministries including but not limited to Health Canada, British Columbia Ministry of Environment and Metro Vancouver Regional District; and

- c) a detailed air quality monitoring program, designed and certified by a Professional Engineer licensed in the Province of British Columbia and familiar with air quality systems, to meet or exceed the standards specified in sections 9(b)(i) through 9(b)(iii) of this Farm Bylaw.
10. A *Stormwater* management plan, prepared by a Professional Engineer licensed in the Province of British Columbia and familiar with *Stormwater* management systems, shall be submitted at the time of building permit application, business licence application, or business licence renewal, whichever comes first, and shall:
- a) provide a description of how the *Site* is to be drained and graded to divert surface runoff water from buildings, storage areas, parking areas, and driveways constructed of impermeable materials;
 - b) provide a description of how the *Stormwater* management plan is designed to discharge post development peak flows from the lot at the same rate as naturally occurred before the farm operation was built (pre-development levels); and
 - c) include a review, conducted by the engineer, of the impacts of the proposed drainage system on the existing downstream drainage system and submit confirmation that no negative impacts are anticipated on down gradient properties.
11. A *Wastewater* management plan, prepared by a Professional Engineer licensed in the Province of British Columbia and familiar with *Wastewater* management systems, shall be submitted at the time of building permit application, business licence application, or business licence renewal, whichever comes first, and shall:
- a) comply with criteria established by the Ministry of Environment for the treatment and disposal of *Wastewater*;
 - b) include a water maintenance, monitoring, and performance plan, acceptable to the Township of Langley and the Ministry of Environment; and
 - c) ensure that samples of effluent discharged from the *Wastewater* treatment system are collected and analyzed by a certified laboratory.
12. A *Wastewater* facility or plan may be modified from time to time based upon the monitoring results.
13. A noise mitigation plan, prepared by a Professional Engineer licensed in the Province of British Columbia and familiar with noise mitigation and management, shall be submitted at the time of building permit application, business licence application, or business licence renewal, whichever comes first, and shall identify ways in which noise resulting from *Cannabis Production* and accessory activities is mitigated to prevent unreasonable disturbance to neighbours.

Bylaw Contraventions and Enforcement

14. Township Bylaw Enforcement Officers are hereby authorized to investigate potential contraventions of this Bylaw and to enter a *Site*, with reasonable notice to the *Site* owner and/or *Local Contact Person*, for that purpose.

Offence and Penalty

15. Any person who contravenes or violates any provision of this Bylaw, or who causes, suffers or permits any act or thing to be done in contravention or in violation of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence under this Bylaw.
16. Each day that a violation continues or exists under this Bylaw is a separate offence.
17. Every person who commits an offence under this Bylaw is liable on summary conviction to a fine of not more than \$10,000.00, or to imprisonment for not more than six months, or to both.

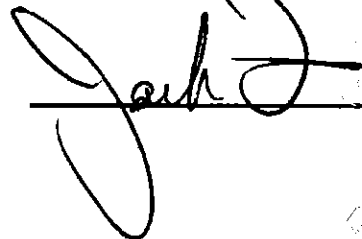
READ A FIRST TIME the 22 day of July , 2019.

READ A SECOND TIME the 22 day of July , 2019.

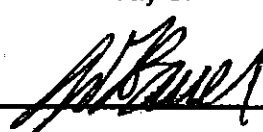
READ A THIRD TIME the 22 day of July , 2019.

RECEIVED THE APPROVAL OF THE 19 day of August , 2019.
MINISTRY OF AGRICULTURE the

RECONSIDERED AND ADOPTED the 21 day of October , 2019.



Mayor



Township Clerk



INFORMATION BULLETIN 04

CANNABIS PRODUCTION IN THE ALR

Revised: May 8, 2019
Issued: August 15, 2019

1. SCOPE OF THIS INFORMATION BULLETIN

This information bulletin provides guidance to assist in interpreting the *Agricultural Land Commission Act*, S.B.C. 2002, c. 36 (**ALCA**) and regulations in relation to cannabis production in the Agricultural Land Reserve (**ALR**). The ALCA and regulations will govern if inconsistent with this bulletin.

This information bulletin is directed only to interpretation of the ALCA and regulations. Compliance with the ALCA and regulations in relation to cannabis does not relieve persons from the need to comply with all other applicable laws, regulations and bylaws at the federal, provincial and local government levels.

2. RECENT CHANGES TO STATUTE AND REGULATIONS

Effective February 22, 2019, the ALCA and the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (now the **ALR General Regulation**) were amended and the Agricultural Land Reserve Use Regulation (the **ALR Use Regulation**) was created. Though many concepts contained in the ALCA and regulations remain unchanged, there have been changes related to the use of ALR land for cannabis production. All references in this information bulletin to the ALCA and regulations are as of February 22, 2019, unless otherwise stated.

3. WHETHER CANNABIS PRODUCTION IS A FARM USE

In the past, certain forms of cannabis production, but not others, had been “designated” as farm use by regulation. This was the practice followed when s. 2(2.5) of the former regulation was introduced in July 2018. The fact that certain production required “designation” to be a farm use suggested that non-designated forms of cannabis production:

- were not a farm use; and
- as such, could only be engaged in if the Agricultural Land Commission (the **Commission**) approved a non-farm use application specific to that use.

On February 22, 2019, s. 2(2.5) of the former regulation was repealed and the ALR Use Regulation was created. The ALR Use Regulation addresses cannabis production in s. 8, in a part of the ALR Use Regulation that is entitled “Farm Uses”, and no longer “designates” a

subset of cannabis production as farm use. This regulatory change clarifies that all forms of cannabis production are a "farm use".

Because all forms of cannabis production are a "farm use", cannabis production in the ALR does not contravene the ALCA even if engaged in without the Commission's approval.

However:

- the ALR Use Regulation specifically allows local governments to prohibit cannabis production in certain forms (see section A of this bulletin); **AND**
- certain other activities associated with cannabis production, such as fill placement or soil removal, may still require proponents to engage with the Commission (see section B of this bulletin).

A. Local Government Authority To Prohibit

Local governments play a significant role in determining what kind of cannabis production occurs in their community.

Local governments may regulate or prohibit certain kinds of cannabis production, though may not prohibit all forms of cannabis production.

Section 8 of the ALR Use Regulation provides:

- (1) The use of agricultural land for producing cannabis lawfully may not be prohibited as described in section 4 if the cannabis is produced
 - (a) outdoors in a field, or
 - (b) inside a structure that, subject to subsection (2), has a base consisting entirely of soil.
- (2) The use of agricultural land for producing cannabis lawfully may not be prohibited as described in section 4 if the cannabis is produced inside a structure that meets both of the following conditions:
 - (a) the structure was, before July 13, 2018,
 - (i) constructed for the purpose of growing crops inside it, including but not limited to producing cannabis lawfully, or
 - (ii) under construction for the purpose referred to in subparagraph (i), if that construction
 - (A) was being conducted in accordance with all applicable authorizations and enactments, and

- (B) continues without interruption from the date it began until the date the structure is completed, other than work stoppages considered reasonable in the building industry;
- (b) the structure has not been altered since July 13, 2018 to increase the size of its base or to change the material used as its base.

Section 4 of the ALR Use Regulation provides:

The farm uses referred to in this Part [which includes s. 8] may not be prohibited

- (a) by a local government enactment except a bylaw under section 552 [farming area bylaws] of the *Local Government Act*, or
- (b) by a first nation government law, if the activity is conducted on settlement lands.

B. Placing Fill In, And Removing Soil From, The ALR

There are strict rules regarding placement of fill in the ALR and removal of soil from the ALR, **even when necessary for a farm use**, unless limited exceptions are met.

Q. Do the rules on placement of fill in the ALR and removal of soil from the ALR apply to the construction of structures intended to be used for the production of cannabis?

A. Yes. These rules are found in ss. 35-36 of the ALR Use Regulation and apply generally, to the construction of structures for the production of cannabis, subject only to the limited exceptions summarized below.

Typically even where the fill placement or soil removal is for cannabis production, successful completion of a notice of intent and/or use application process is required before the activity can proceed. This is so unless all of the following conditions are met

- the fill placement or soil removal are for the purpose of constructing a structure for farm use; AND
- the total area from which the soil is removed or on which fill is placed is 1,000 m² or less; AND
- if the area from which the soil is removed or on which the fill is placed is in a floodplain, the resulting elevation level is consistent with the minimum elevation level established under all applicable local government enactments and first nation government laws, if any, respecting flood protection in the floodplain; AND
- the fill **is not, and does not contain,** construction or demolition waste (including masonry rubble, concrete, cement, rebar, drywall and wood waste), asphalt, glass,

synthetic polymers, treated wood, or unchipped lumber, as none of these may be used as fill in the ALR: ALR Use Regulation, ss. 35-36.

See the Commission's Information Bulletin #7 – Soil or Fill Use in the ALR for more information.

4. CONSTRUCTION, MAINTENANCE AND OPERATION OF STRUCTURES NECESSARY FOR FARM USE

Subject to any limits and conditions set out in Part 2 of the ALR Use Regulation, the use of land in the ALR to construct, maintain or operate a structure (including a greenhouse), driveway or utility that is necessary for a farm use is designated as a farm use: ALR Use Regulation, s. 5. A designated farm use may be undertaken without making a use application to the Commission.

Q. What does "subject to any limits and conditions set out in Part 2 of the ALR Use Regulation" mean for the construction of structures intended to be used for cannabis production?

A. The construction of structures for cannabis production are limited by the specific limitations for cannabis production set out at s. 8 of the ALR Use Regulation.

In determining whether an activity is "necessary" for a farm use, consideration must be given to whether the nature and size of the activity is proportionate to the farm use. If a landowner claims that an activity is "necessary" for a farm use that has not yet commenced, issues may arise in respect of whether the proposed use is in fact going to occur, and whether the nature and size of activity characterized as "necessary" will in fact be necessary to that use.

5. STORING, PACKING, PREPARING AND PROCESSING FARM PRODUCTS

The ALR Use Regulation refers to certain other activities potentially related to cannabis that local governments may not prohibit, but may regulate, as described in s. 4 of the ALR Use Regulation, such as certain storing, packing, preparing and processing uses set out in s. 11.

The use of land in the ALR for storing, packing, preparing and processing farm products is designated as a farm use, and as such may be undertaken without application to the Commission, if at least 50% of the farm product is (a) produced either on that agricultural land or by an association (as that term is used in the *Cooperative Association Act*) to which the owner of the agricultural land belongs, or (b) feed required for farm use on that agricultural land: ALR Use Regulation, s. 11(2).

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BY-LAW NO. 16

A BY-LAW OF THE REGIONAL DISTRICT OF
ALBERNI-CLAYOQUOT TO PREVENT OR ABATE
NUISANCES AND UNSIGHTLY PREMISES.

WHEREAS the Board is empowered under its supplementary Letters Patent to exercise the powers contained in section 870 (b), (g), (h) and (k) of the Municipal Act.

NOW THEREFORE the Board of the Regional District of Alberni-Clayoquot, in open meeting assembled, enacts as follows:

1. It shall be unlawful for the owner or occupier of any premises or real property, or their agents, to cause or permit polluted water, rubbish or noxious, offensive or unwholesome matter or substance to collect or accumulate around their premises, with the exception of natural fertilizers kept not less than 80 feet from property lines.
2. It shall be unlawful for any person to deposit or throw bottles, broken glass, paper, containers of any kind, or any kind of rubbish in any open place.
3. It shall be unlawful for the owners or occupiers of real property, or their agents, to permit any premises or real property to become untidy or unsightly or to accumulate filth, derelict automobile bodies and other discarded materials, or rubbish of any kind on the said property. Scrap metals, etc., designated for future use, shall be kept in a location to prevent view from public roads.
4. Every owner or occupier of real property, or their agents, shall upon receipt of written notice to that effect and within thirty days, remove or cause to be removed from such real property any accumulation of filth, derelict automobile bodies and other discarded materials, or rubbish of any kind.
5. Should the owner or occupier of real property, or their agents, default in conforming with a notice given under Section 4 herein, the Regional District may enter upon the said lands and premises and effect such removal as is necessary to conform to the notice and any expenses incurred as a result, if unpaid by the 31st day of December in the year of such removal, shall be added to and become part of taxes payable in respect of that real property as taxes in arrear.
6. Any notice required to be given hereunder, if not served personally, shall be sent to such owner or occupier or their agents by double-registered mail.
7. Any person guilty of an infraction under this By-law shall be liable upon conviction to a penalty not exceeding \$100.00 and costs; which penalty and costs shall be recoverable and enforceable on summary conviction in the manner provided for under the "Summary Convictions Act", including imprisonment for any time not exceeding 30 days in default of payment of the said penalty

8. This By-law shall apply to all of the Regional District of Alberni-Clayoquot except the City of Port Alberni, the Village of Tofino and the Village of Ucluelet.
9. This By-law may be cited as the "Nuisance and Unsightly Premises By-law".

Read a first time this 27th day of January, 1971.

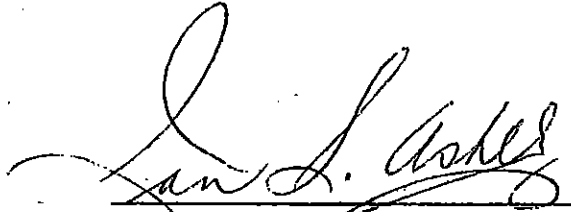
Read a second time this 27th day of January, 1971.

Read a third time this 24th day of March 1971.

The written approval of the required Directors has been obtained and a synopsis of the By-law has been advertised in a newspaper circulating within the Regional District, in accordance with the provisions of Section 766 AA of the 'Municipal Act'.

Reconsidered and adopted this 28th day of April 1971.


Chairman


Secretary-Treasurer

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. R1002

**A BYLAW TO PROVIDE FOR THE CONTROL OF NOISE IN
ELECTORAL AREA "E" BEAVER CREEK**

WHEREAS the Regional Board is empowered under supplementary Letters Patent dated July 13th, 1981, to exercise the powers contained in the Municipal Act, pursuant to Section 724 and Section 725, Subsection (1) (a) and Subsection (2) (a) & (b), RSBC 326, 1996 pertaining to the control of noise and sounds;

AND WHEREAS all members of the public have a right to and should be ensured of an environment free from unusual, unnecessary, undesirable or excessive noise which will degrade the quality and tranquillity of life or cause nuisance;

AND WHEREAS it is deemed in the public interest to reduce and control such noise;

NOW THEREFORE the Board of the Regional District of Alberni-Clayoquot in open meeting assembled, enacts as follows:

1. **AREA**

This bylaw shall apply within the boundaries of Electoral Area "E" (Beaver Creek) All as shown on the map attached hereto outlined in black pecked line and marked Schedule "A" and forms part of this Bylaw.

2. **DEFINITIONS**

In this bylaw, the following definitions shall apply:

"Regional District" shall mean the Regional District of Alberni-Clayoquot

"Noise" shall mean a loud, harsh or undesirable sound.

3. **REGULATIONS**

It shall be unlawful for any person or persons, to cause any noise, in on, or around, an public or private places or premises which is liable to disturb the quiet, peace, rest and enjoyment of the neighbourhood or the comfort and convenience of individuals or the public.

3.1 Without in any way limiting the generality of the prohibition in the foregoing sub-section 3 hereof, the following are specifically prohibited:

- (a) The playing of any radio, recorded music or sounds, or any musical instrument in such a manner or with such volume as to disturb the quiet, peace, rest or enjoyment of the neighbourhood or the comfort or convenience of individuals.
- (b) The keeping or harbouring of any animal, or other creature whatsoever, which by its frequent calls, cries or other noise disturbs the quiet, peace, rest or enjoyment of the neighbourhood or the comfort or convenience of individuals.
- (c) The use of any automobile, motorcycle, truck, boat or other vehicle, so out of repair or so loaded as to create loud and unnecessary noise or noises.
- (d) The discharge into the open air of the exhaust of any steam engine, internal combustion engine, motor vehicle, or ship or vessel, except through a muffler or other device which would effectually prevent unnecessary noise therefrom.
- (e) The use of any loud speaker or any other instrument or device for the purpose of attracting attention by the creation of noise to any performance or event, show, sale or display of merchandise.

4. **EXEMPTIONS**

The provisions of this bylaw shall not apply to, or be enforced against:

- (a) Aircraft
- (b) The use of whistles, sirens, or such devices, operated for emergency purposes.
- (c) The making of noise by any persons in the conduct of business within an area zoned for such business, where the nature of the business conforms to the particular zoning requirements and where the noise is such as is usual or inevitable to the business so conducted.

5. **PERMIT**

- (a) Notwithstanding the regulations contained herein, the Board of Directors of the Regional District may, by resolution, grant a permit for a race, regatta or specific event, therein providing exemption from the provisions of this bylaw.
- (b)
 - (i) Public sign boards may be erected at the discretion of and by the authority of the Regional District advising of regulations heretofore described, at locations deemed appropriate by the Board of Directors.
 - (ii) No person shall remove, alter, conceal, damage or destroy any sign so posted without the written consent of the Regional District.

6. **ENFORCEMENT**

Any person or persons guilty of an offence under this by law shall be liable upon conviction to a penalty or fine of Two Hundred and Fifty (\$250.00) for the first offence and One Thousand Dollars (\$1,000.00) for a second offence to a maximum not to exceed Two Thousand Dollars (\$2,000.00) which penalty and cost shall be recoverable and enforceable upon summary conviction in the manner provided by the "Summary Conviction Act".

7. Bylaw No. 455 is repealed in its entirety.

8. **TITLE**

This bylaw may be cited as the "Beaver Creek Noise Control Bylaw No. R1002, 1998".

9. This Bylaw shall come into force and take effect on and after the date of final passing hereof.

Read a first time this 22nd day of April , 1998.

Read a second time this 22nd day of April , 1998.

Read a third time this 22nd day of April , 1998.

Advertised in accordance with section 839 of the Municipal Act on this 8th day of

May, 1998.

Adopted this 24th day of June , 1998

Gary Swann
Chairperson

Robert A. Harper, CGA
Secretary-Treasurer

I hereby certify the above to be a true and correct copy of Bylaw No. R1002, Beaver Creek Noise Control, 1998 which was adopted by the Regional Board at their regular meeting held on the 24th day of June, 1998.

Robert A. Harper, CGA
Secretary-Treasurer

BL

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2929

A Bylaw to amend Bylaw No. 2050, cited as the
"Zoning Bylaw, 1992, No. 2050"

THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF
ESQUIMALT, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as the *"ZONING BYLAW, 1992, NO. 2050, AMENDMENT BYLAW, 2018, NO. 2929."*
2. That Bylaw No. 2050, cited as the "Zoning Bylaw, 1992, No. 2050" be amended as follows:

(1) By adding the following to **PART 1 – INTERPRETATION Section 2. DEFINITIONS:**

- (a) "Cannabis" means the same meaning as the Cannabis Act (Canada).
- (b) "Cannabis Lounge" means a building or part thereof including decks, patios and balconies used for medicinal or recreational consumption (smoking or oral consumption) of marijuana or cannabis and related products or derivatives.
- (c) "Cannabis Plant" means the same meaning as the Cannabis Act (Canada).
- (d) "Medical Marijuana Production Facility" means a building used for the commercial production of marijuana for medical purposes by a person, including a corporation or other form of business, who holds a valid and sustaining licence for such production from the Government of Canada.
- (e) "Store, Cannabis Sales" means the use of land, building or a structure for the retail sale of cannabis by a person, including a corporation or other form of business, who holds a valid and sustaining provincial licence to sell cannabis through the retail market in British Columbia.

(2) By amending the following definitions to **PART 1 – INTERPRETATION Section 2. DEFINITIONS:**

- (a) "Business and Professional Offices" is amended by revising the concluding exclusion to read: "but excludes all retailing stores (e.g. Retail Store, Convenience Store, Cannabis Sales Store, Liquor Store) and Personal Service Establishments."
- (b) "Store, Retail" is amended by adding the following exclusion at the end of the definition: "but does not include Cannabis Sales Store or Liquor Store."

(3) By adding the following after Subsection (4) to **PART 4 – GENERAL REGULATIONS Section 11. PERMITTED USES:**

(5) Notwithstanding any other provision in this bylaw, the retail sale of Cannabis is prohibited in all zones and public road ways, unless the location is specifically rezoned to allow a Cannabis Sales Store.

(6) Notwithstanding any other provision in this bylaw, Cannabis Lounges, and similar facilities are prohibited in all zones unless the location is specifically rezoned to allow such uses.

(7) Notwithstanding any other provision in this bylaw, the growing or production of marijuana, cannabis and similar plants, products or derivatives is prohibited, except:

(a) as a farm use on lands in the Agricultural Land Reserve, subject however to such production being in a building that is:

- (i) Setback a minimum of 25 metres from all property lines; and
- (ii) located more than 150 metres from schools, day cares, parks, playgrounds, club houses, convenience stores, or other public places frequented mainly by persons under 18 years of age;

(b) on land specifically rezoned to permit a Health Canada licensed Medical Marijuana Production Facility use;

(c) as an Accessory Use under the authority of a Health Canada issued personal use licence, subject however to such production being in a building that is:

- (i) located in the Rear Yard and Setback a minimum of 5 metres from all property lines; and
- (ii) located more than 250 metres from schools, day cares, parks, playgrounds, convenience stores, or other public places frequented mainly by persons under 18 years of age;

(d) under the authority of one or more Health Canada issued designated producer licence(s), subject however to such production operating with a valid and current Business License issued by the Township and being in a building that is:

- (i) Setback a minimum of 10 metres from all property lines;
- (ii) located more than 50m from any building that contains a residential Use; and
- (iii) located more than 250 metres from schools, day cares, parks, playgrounds, convenience stores, or other public places frequented mainly by persons under 18 years of age.

(4) By adding the word "liquor" before the word "lounge" to **PART 5 – ZONING DISTRICTS Section 60 (1) (e)**

(5) By adding the word "liquor" before the word "lounge" to **PART 5 – ZONING DISTRICTS Section 67.71 (1) (a)**

READ a first time by the Municipal Council on the ---- day of -----, 2018.

READ a second time by the Municipal Council on the ---- day of -----, 2018.

A Public Hearing was held pursuant to the *Local Government Act* on the ---- day of -----, 2018.

READ a third time by the Municipal Council on the ---- day of -----, 2018.

ADOPTED by the Municipal Council on the ---- day of -----, 2018.

BARBARA DESJARDINS
MAYOR

ANJA NURVO
CORPORATE OFFICER

Ontario

The Corporation of the Municipality of Leamington

By-law 35-18

Being a by-law to regulate certain
matters related to cannabis

Whereas, Section 128(1) of the Municipal Act, 2001, R.S.O. 2001, c. 25 (herein the "Act") provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances.

And Whereas the legislation and regulations permitting the production, sale and consumption of Medical Cannabis and Non-Medical Cannabis do not regulate certain matters of public interest in relation to health, safety, morality, comfort or convenience.

And Whereas without proper regulation the activities regulated by this By-Law, especially in the absence of sufficient regulation or enforcement by another level of government, could become or cause public nuisances.

Now Therefore by its Council The Municipality of Leamington Hereby Enacts as Follows:

Interpretation

1. In this By-Law:

- (a) "Cannabis" shall have the same meaning as cannabis as defined in the Cannabis Act (Canada).
- (b) "Cannabis Facility" means an indoor Premises on which Cannabis, Cannabis seed or Cannabis oil is grown, processed, extracted, packaged or otherwise made ready for sale, tested, destroyed, stored and/or shipped in accordance with the provisions of a licence issued by Health Canada, as may be amended from time to time, but shall not mean a Cannabis retail outlet operated by the Province of Ontario, Cannabis Lounge or Cannabis Retailer, and does not include any Property which is not licensed by Health Canada and on which Cannabis is grown exclusively for legal use by the registered owner of the Property.
- (c) "Cannabis Lounge" means a structure, which is not a residence, in which Cannabis Products, legally possessed by one or more persons, are consumed.
- (d) "Cannabis Products" means any product for which Cannabis is one of the principal ingredients, including Cannabis Derivatives.

- (e) "Cannabis Related Activity" means growing, processing, extracting, packaging or otherwise making ready for sale, testing, destroying, storing, shipping, permitting consumption or sale of Cannabis or Cannabis Products.
- (f) "Cannabis Retailer" means a premises from which Cannabis or Cannabis Products are sold to the general public on a retail basis and is authorized by law, but does not include a Cannabis retail outlet operated by the Province of Ontario.
- (g) "Council" means the Council of the Municipality.
- (h) "Medical Cannabis" means Cannabis for which a prescription has been issued by a medical practitioner in accordance with the Health Canada regulations for Medical Cannabis;
- (i) "Municipality" means The Corporation of the Municipality of Leamington.
- (j) "Non-Medical Cannabis" means Cannabis or Cannabis Products for which a prescription has not been issued by a medical practitioner in accordance with the Health Canada regulations for Medical Cannabis;
- (k) "Noxious Odour" means an odour of Cannabis or from Cannabis Related Activities emanating from a Premises that is persistent or continuous and is likely to interfere with the ordinary enjoyment of other property in the vicinity of the Premises;
- (l) "Odour Abatement Protocol" means the combination of methods, practices, equipment and technologies designed for the purpose of eliminating the emission and emanation of Noxious Odours from the Premises to any other property;
- (m) "Part I Cannabis Facility" means a Cannabis Facility for which the Municipality has received notice as a term of the application to Health Canada;
- (n) "Part II Cannabis Facility" means a Cannabis Facility that is not a Part I Cannabis Facility including a designated grower, a micro-cultivator, a micro-processor or a premises on which Cannabis is grown for or on behalf of one or more other persons than the registered owner of the premises;
- (o) "Premises" means a Cannabis Facility, Cannabis Lounge or Cannabis Retailer.
- (p) "Process" means the operation whereby harvested Cannabis, is transformed by the application of manual, mechanical or chemical methods into another form, but does not include the application or use of a dangerous substance or method;

- (q) "Sensitive Use" means a grade school, secondary school, day care, playground, sporting venue or any other place which has as its primary purpose of being a place where persons under the age of 18 years comprise the majority of persons present or intended to be present, a residential use within a Zone, a place of worship, or a community center.
- (r) "Zone" means an area delineated on a zoning map schedule and established and designated by the Comprehensive Zoning By-law 890-09 for a specific use or group of uses.

Prohibitions

- 2.
 - (a) No person shall operate a Cannabis Lounge, Cannabis Retailer or Cannabis Facility except in accordance with the provisions of this By-Law.
 - (b) No person shall operate a Cannabis Facility where Cannabis is grown outdoors.
 - (c) No person shall Process Cannabis using substances dangerous or noxious to the public.

License

- 3. The owner, occupier and/or operator of a Cannabis Lounge, Cannabis Retailer or Cannabis Facility shall produce for inspection any license or other form of authorization which permits the Cannabis Related Activity on the Premises.

Cannabis Lounge or Cannabis Retailer

- 4. A Cannabis Lounge or a Cannabis Retailer shall not:
 - (a) operate except in accordance with the terms of its license or other form of authorization;
 - (b) operate unless it is the holder of a valid business license as issued by the Municipality under its Business Licensing By-Law;
 - (c) be closer than two hundred (200) metres from the property line of the nearest Sensitive Use;
 - (d) be in any Zone that is not designated for commercial use;
 - (e) permit the sale of Cannabis or Cannabis Products on the Premises, unless authorized by law;
 - (f) permit the consumption of Cannabis or Cannabis Products on the exterior of the Premises;

- (g) permit the sale to or the consumption of Cannabis or Cannabis Products on the Premises by a person not legally entitled to purchase or consume Cannabis or Cannabis Products; and
- (h) operate without an Odour Abatement Protocol sufficient to eliminate any Noxious Odour migrating off its Premises.

Part I Cannabis Facility

5. A Part I Cannabis Facility shall:

- (a) operate in accordance with its license from Health Canada, and any other requirements of the Province of Ontario and any other competent authority;
- (b) operate indoors;
- (c) operate only in a Zone designated for agricultural use, where a greenhouse, but not a hobby greenhouse, is permitted;
- (d) operate with an Odour Abatement Protocol to eliminate the migration of any Noxious Odour off its Premises; and
- (e) be limited to the production, processing and packaging of Cannabis on behalf of the holder of the license for the Premises on which the Cannabis Facility is located and one other person.

Part II Cannabis Facility

6. A Part II Cannabis Facility shall:

- (a) operate in accordance with its licence from Health Canada, and any other requirements of the Province of Ontario and any other competent authority;
- (b) operate indoors;
- (c) operate in a Zone designated for industrial use;
- (d) obtain a business licence pursuant to the provisions of the Municipality's Business Licensing By-law 03-18;
- (e) obtain, prior to commencing operation, a Change of Use Permit, issued pursuant to section 10 of the Building Code Act, 1992, S.O. 1992, c.23;
- (f) obtain, prior to commencing operation, Site Plan Approval and enter into a Site Plan Agreement pursuant to section 41 of the Planning Act, R.S.O. 1990, c. P.13;

- (g) operate with an Odour Abatement Protocol to eliminate the migration of any Noxious Odour off its Premises and provide satisfactory proof thereof to the Municipality;
- (h) operate more than two hundred (200) metres from the property line of the nearest Sensitive Use;
- (i) be limited to the production, processing and packaging of Cannabis on behalf of the registered owner of the Premises and one other person; and
- (j) be inspected by the Municipality's Fire Department and comply with the provisions of the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4.

Severability

7. If a Court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-law and it is hereby declared that the remainder of the By-law shall be remain in force.

Penalty

8. Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is subject to a fine pursuant to the Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended from time to time.

Continuing Offence

9. Each calendar day a violation of Section 2 continues is deemed to be a separate offence.

Enforcement

10. In addition to any other penalty or remedy available to the Municipality, the Council may, on behalf of the Municipality with the consent of the local detachment commander of the Ontario Provincial Police and with notice to the Attorney-General of Ontario, apply to the Superior Court of Justice for an order requiring all or part of a Premises be closed for a period not exceeding two (2) years if it be proved on a balance of probabilities that:
- (a) activities or circumstances on or in the Premises constitute a public nuisance or cause or contribute to activities or circumstances constituting a public nuisance in the vicinity of the Premises;
 - (b) the public nuisance has a detrimental impact on the use and enjoyment of property in the vicinity of the Premises;

- (c) ~~the owner or occupants of the Premises or part of the Premises knew or ought to have known that the activities or circumstances constituting the public nuisance were taking place or existed and did not take adequate steps to eliminate the public nuisance,~~ or
- (d) a conviction for a contravention of this By-law by a court of competent jurisdiction of a public nuisance in respect to the Premises has been entered, and the conviction is not currently under appeal.

Powers of Entry

- 11. Pursuant to section 436 of the Act and in addition to any other powers of entry granted to the Municipality, the Municipality, by its employees or agents, may enter on the Premises at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - (a) this By-law or any other by-law passed by the municipality;
 - (b) any direction or order of the Municipality made under the Act or this By-law;
 - (c) a condition of a licence issued by the Municipality; or
 - (d) an order to discontinue or remedy a contravention of this By-law for which a conviction has been entered by a court of competent jurisdiction.

Powers of Inspection

- 12. The municipality may do any of the following for the purposes of an inspection under Section 11:
 - (a) require the production for inspection of documents or things relevant to the enforcement of this By-law;
 - (b) inspect and remove documents or things relevant to the enforcement of this by-law for the purpose of making copies or extracts;
 - (c) require information from any person concerning a matter relevant to the enforcement of this By-law; and
 - (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, sample or photographs necessary for the purposes of the inspection.

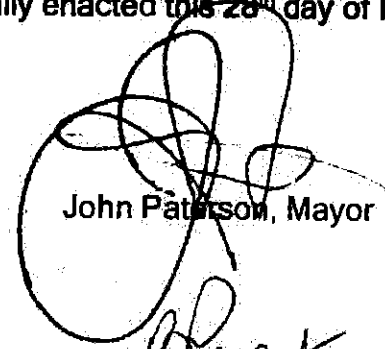
Short Title

- 13. This By-law may be referred to as the Cannabis Regulation By-law, 2018.

Effective Date

14. This By-law will take effect and come into effect upon its enactment.

Read a first, second and third time and finally enacted this 28th day of May, 2018.

A large, stylized handwritten signature in black ink, appearing to read 'John Paterson', is written over the printed name.

John Paterson, Mayor

A handwritten signature in black ink, appearing to read 'Brenda M. Percy', is written over the printed name.

Brenda M. Percy, Clerk

ONTARIO



The Corporation of Norfolk County

By-Law 25-Z-2018

Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for all lands within Norfolk County.

WHEREAS Norfolk Council is empowered to enact this By-Law, by virtue of the provisions of Section 34 of the *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended;

AND WHEREAS this By-Law conforms to the Norfolk County Official Plan.

NOW THEREFORE the Council of The Corporation of Norfolk County hereby enacts as follows:

1. That Section 2 – Definitions is hereby amended by adding the following, Subsection 2.28 “CANNABIS” and renumbering the balance of the Section accordingly:

2.28 “**CANNABIS**” shall mean a genus of flowering plants in the family *Cannabaceae*. Synonyms include but are not limited to marijuana, and marihuana. This definition does not include the industrial or agricultural production of hemp (a source of foodstuffs (hemp milk, hemp seed, hemp oil), fiber and biofuels).

2. That Section 2 – Definitions is hereby amended by adding the following and renumbering the balance of the Section accordingly:

2.29 “**CANNABIS PRODUCTION AND PROCESSING**” means lands, buildings or structures used for producing, processing, testing, destroying, packaging and/or shipping of *cannabis* authorized by an issued license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the *Controlled Drugs and Substances Act*, SC 1996, c. 19, as amended from time to time, or any successors thereto.”

3. That Section 2 – Definitions is hereby further amended by adding the following to the end of existing Subsection 2.53 “FARM”:

, but does not include *Cannabis Production and Processing*.

4. That Section 2 – Definitions is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in the existing Subsection 2.67 “GARDEN CENTRE”

5. That Section 2 – Definitions is here by amended by deleting the existing Subsection 2.91 “Medical Marihuana Production Facility” and renumbering the balance of the Section accordingly:
6. That Section 2 – Definitions is hereby amended by adding the following, Subsection 2.98 “AIR TREATMENT CONTROL” and renumbering the balance of the Section accordingly:

2.98 “**AIR TREATMENT CONTROL**” shall mean the functional use of industrial grade multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person.

7. That Section 2 – Definitions is hereby amended by replacing the words “Medical Marihuana Production Facility” with “Cannabis Production and Processing” in the existing Subsection 2.170 “WHOLESALE OUTLET”
8. That Section 3 – General Provisions is hereby amended by deleting Subsection 3.21 “Medical Marihuana Production Facility” and replacing with the following:

3.21 Cannabis Production and Processing

Notwithstanding any other provision of this By-law, any *Cannabis Production and Processing* shall be subject to the following provisions:

- a) No lands, *building or structure* or portion thereof used for *Cannabis Production and Processing* purposes that is equipped with *air treatment control* situated in the General Industrial Zone (MG), Light Industrial Zone (ML), Rural Industrial Zone (MR) may be located closer to any Residential Zone, Institutional Zone, or Open Space Zone than 70 metres.
- b) No lands, *building or structure* or portion thereof used for *Cannabis Production and Processing* purposes that is equipped with *air treatment control* situated in the Agricultural Zone (A) may be located closer to any Residential Zone, Institutional Zone, or Open Space Zone than 150 metres.
- c) No lands, *building or structure* or portion thereof used for *Cannabis Production and Processing* purposes that is equipped with *air treatment control* situated in the General Industrial Zone (MG), Light Industrial Zone (ML), Rural Industrial Zone (MR) may be located closer to any *dwelling*, public school, private school, *place of worship*, or *day care nursery* than 150 metres.
- d) No lands, *building or structure* or portion thereof used for *Cannabis Production and Processing* purposes that is equipped with *air treatment control* situated in

- the Agricultural Zone (A) may be located closer to any *dwelling*, public school, private school, *place of worship*, or *day care nursery* than 150 metres.
- e) No lands, *building or structure* or portion thereof used for *Cannabis Production and Processing* purposes that is not equipped with *air treatment control* situated in the Agricultural Zone (A), General Industrial Zone (MG), Light Industrial Zone (ML), Rural Industrial Zone (MR) may be located closer to any *dwelling*, public school, private school, *place of worship*, or *day care nursery* than 300 metres.
 - f) A *building or structure* used for security purposes for *Cannabis Production and Processing* may be located in the *required front yard* and does not have to comply with the required minimum *front yard*, *side yard*, and *rear yard* setbacks.
 - g) *Outdoor storage* is prohibited on the property in which the *Cannabis Production and Processing* is located.
 - h) *Cannabis Production and Processing* shall only be permitted within the zones as explicitly indicated in this Zoning By-law.
 - i) All development in relation to the establishment of or expansion to a *Cannabis Production and Processing* shall be subject to Site Plan Control.
9. That Section 3.8.1 – Site Plan Control is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*”.
10. That Section 4 – Off Street Parking Provisions is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 4.9 (y).
11. That Section 7.1 – General Industrial Zone is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 7.1.1 (o) “Permitted Uses”.
12. That Section 7.2 – Light Industrial Zone is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 7.2.1 (o) “Permitted Uses”.
13. That Section 7.5 – Rural Industrial Zone is hereby amended by replacing the words “*Medical Marihuana Production Facility*” with “*Cannabis Production and Processing*” in existing Subsection 7.5.1 (z) “Permitted Uses”.

14. That Section 12.1 – Agricultural Zone is hereby amended by replacing the words *“Medical Marihuana Production Facility”* with *“Cannabis Production and Processing”* in existing Subsection 12.1.1 (m) “Permitted Uses”.
15. That Section 14 – Special Provisions is hereby amended by replacing the words *“Medical Marihuana Production Facility”* with *“Cannabis Production and Processing”* in existing Subsection 14.647.
16. That Section 14 – Special Provisions is hereby amended by replacing the words *“Medical Marihuana Production Facility”* with *“Cannabis Production and Processing”* in existing Subsection 14.856.
17. That Section 14 – Special Provisions is hereby amended by replacing the words *“Medical Marihuana Production Facility”* with *“Cannabis Production and Processing”* in existing Subsection 14.902.

ENACTED AND PASSED this 27th day of March, 2018.

Mayor

County Clerk

**Explanation of the Purpose and Effect of
By-Law 25-Z-2018**

This By-Law affects lands located throughout Norfolk County, with the purposes of addressing matters identified through application of the By-Law, providing streamlining improvements and clearer interpretation of provisions in regards to cannabis production and processing.



[Home](#) > [Health](#) > [Drug and health products](#) > [Drugs and medication](#) > [Cannabis](#) > [Medical use of cannabis](#)
> [Accessing cannabis for medical purposes](#) > [Production of cannabis for your own medical purposes](#)

Information bulletin: safety and security considerations when producing cannabis for your own medical purposes

Context

The **Access to Cannabis for Medical Purposes Regulations (ACMPR)** allows individuals, who have been authorized by their health care practitioner, to register with Health Canada to produce a limited amount of cannabis for their own medical purposes.

You may only start producing marijuana plants once you receive a Health Canada registration certificate.

You must operate within the limits set out in your registration certificate, and abide by your maximum plant limit, your maximum storage limit and your maximum possession limit. You are only authorized to produce a limited amount of cannabis for your own medical purposes - you cannot share or provide it to anyone else.

The ACMPR includes rules to help maintain the safety and security of patients, persons designated to produce for patients, household residents and surrounding communities that must be followed by all registrants. **You are also expected to comply with all relevant provincial/territorial and municipal laws including local bylaws about zoning, electrical safety, fire safety, together with all related inspection and remediation requirements.** In addition, there are a number of simple precautions that you can take to reduce risks to your health and safety which are outlined below.

Please be sure that you understand all of your responsibilities under the terms of your Health Canada registration. If you have any questions, please visit the Health Canada website or call toll-free at 1-866-337-7705 or email omc-bcm@hc-sc.gc.ca.

Recommended safety and security measures

General

- Under the ACMPR, it is your responsibility to make sure that all marijuana plants or cannabis products in your possession for medical purposes are secure, and that other people, including

children, cannot access them.

- You may wish to take measures so that other people do not know that you are growing marijuana, or producing cannabis, for your own medical purposes (e.g., ensuring plants cannot be seen from outside your yard or house; limiting marijuana smells coming from your production site).

Outdoor production

- Under the ACMPR, if you are producing outdoors, the boundary of the land where you are authorized to produce cannot have any points in common with the boundary of the land where a school, public playground, or other public place frequented mainly by persons under 18 years of age is located.
- You may want to consider installing a tall fence with a locking gate or an alarm system to help keep your production area secure.

Indoor production

- If you are growing plants indoors, ensure that there is enough ventilation to remove excess moisture and humidity to stop mold from building-up on your plants or in the building.
- If you decide to make changes to the structure of your home or your electrical system, you should seek the advice of a licensed professional to ensure that you are in compliance with municipal and provincial/territorial building codes.

Storage

- You may want to consider installing strong locks on the doors to all areas where you produce or store cannabis and/or installing a home monitoring or alarm system.
- You should also store your cannabis in a safe or equally protected location that you can secure with a lock (e.g., cabinet, closet, or trunk).
- If you have children, or have children who visit your home regularly, you may also want to ensure that cannabis and cannabis products are stored in childproof containers to avoid accidental ingestion.

Health

Producing cannabis can pose certain risks to your health and safety. Please consider the following:

- If you plan to use chemical products, such as pesticides, ensure that these products are safe for use on a plant that you plan to eat or vaporize. You may wish to consult Health Canada's [Homeowner Guidelines for Using Pesticides](#) for more information about using pesticides.
- If you are making a cannabis product, such as oil or butter, you are not permitted to use a

organic solvent such as butane, benzene, methyl chloride, or chlorinated hydrocarbons.

- Using organic solvents to make cannabis products poses significant safety risks, such as fire and explosion, and health risks if the product contains residue from the production process.

For additional information about the potential health risks associated with smoking or other consuming cannabis please speak with your healthcare practitioner. You may also wish to visit the [Health Canada website](#) to review available consumer information.

Safe disposal of cannabis

- If you produce more cannabis than you are authorized to possess or store, you must destroy the excess amount so that you **stay within your authorized storage and/or possession limit at all times**.
- To protect other persons, especially children or youth, or pets in your household, you should render any excess amount(s) of cannabis unfit for use or consumption prior to disposing of it. One method of disposing of excess cannabis is to blend the marijuana with water and mix with cat litter, to mask the odour, and then place it in your regular household garbage.
- It is not advisable to burn your dried marijuana or plants.

Please refer to the Controlled Drugs and Substances Act, the Access to Cannabis for Medical Purposes Regulations, and to your registration for further information about the activities that are permitted to conduct and on the procedures you must comply with.

Date modified:

2016-08-11

Government
of CanadaGouvernement
du Canada

[Home](#) > [Health](#) > [Drug and health products](#) > [Drugs and medication](#) > [Cannabis](#) > [Licensed Producers](#)

ARCHIVED – market data under the Access to Cannabis for Medical Purposes Regulations

We have archived this page and will not be updating it.

Data collected by Health Canada under the Cannabis Tracking System Ministerial Order is available from the

[Cannabis research and data](#) webpage.

You can use it for research or reference.

This information is collected under the Access to Cannabis for Medical Purposes Regulations, which replaced the Marihuana for Medical Purposes Regulations on August 24, 2016.

Based on market data, there is overall sufficient supply of cannabis for medical purposes to meet the current needs of registered clients.

Below is a summary of other recent reporting changes:

In the final quarter (Q4) of fiscal year 2017-18, Health Canada began to report:

- The amount of dried cannabis and cannabis oil that is authorized by permit to be imported and exported for medical or scientific purposes per month;
- The amount of cannabis oil sold to clients in litres (as well as kilograms) per month;
- The amount of cannabis oil released for sale to clients in litres (as well as kilograms) per month; and
- The total amount of cannabis oil in licensed producers' inventories at end of month in litres (as well as kilograms).

In the second quarter (Q2) of 2017-18 Health Canada began to report:

- The cumulative number of health care practitioners who have ever provided a medical document for a client who registered with a licensed producer;
- The number of personal/designated registration applications processed per month; and
- The number of personal/designated registration application related calls answered in our dedicated call centre.

In the first quarter (Q1) of fiscal year 2017-18 Health Canada began to report:

- The total number of client shipments per month by province of residence; and
- The total number of medical practitioners per month that provided a medical document for a client who registered with a licensed producer

In addition, in Q1 Health Canada began reporting monthly breakdowns for:

- Dried cannabis sales, amounts released for sale, inventory; and
- Cannabis oil sales, amounts released for sale, inventory.

Finally, in Q1 Health Canada began reporting the following information by province of residence:

- Total number of client registrations with a licensed producer at end of month;
- Total number of active registrations for personal and/or designated production at end of month;
- Total number of personal producers at end of month; and
- Total number of designated producers at end of month.

In October 2016, Health Canada clarified reporting requirements for licensed producers. Licensed producers were asked to report on the amount of cannabis for medical purposes that they have released for sale to clients. This amount includes only product that has been approved for sale to clients (e.g., tested and ready for sale), which may have been produced in either the current or a previous reporting period. As such, this amount excludes product that was produced during the current reporting period and not yet approved for sale (e.g., not yet tested and ready for sale).

This reporting change, beginning with data in Q3 2016-17, allows for a more accurate picture of the volume of supply that is available to registered clients; and, more consistent period-over-period analysis. It also aligns more closely with the inventory tracking practices of the licensed producers. Note: the change does not allow for a direct comparison with previous reporting periods.

In Q3 2016-17, Health Canada also began to report on the number of active registration certificates issued to persons that are authorized to produce a limited amount of cannabis for their own medical purposes, or who have been designated to produce for another person.

Finally, it should be noted that in May 2017, Health Canada implemented a number of improvements to streamline the application process for issuing licences and enabling increased production of cannabis for medical purposes.

2018-19 Fiscal year reporting

Cannabis for medical purposes (FY 2018-19) - licensed producers: monthly data

	Q1			Q2			Q3			Q4		
	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
Dried cannabis												
Amount sold to clients (kilograms)	2,354	2,310	2,103	2,151	2,069	1,755	-	-	-	-	-	-
Amount released for sale to clients (kilograms) ¹	3,325	8,970	4,720	4,360	6,338	9,944	-	-	-	-	-	-
Total amount in licensed producers' inventories at end of month (kilograms) ²	49,710	55,753	65,355	80,230	89,541	101,720	-	-	-	-	-	-
Amount imported (kilograms) ³	0.60	0	0	0	0	0	-	-	-	-	-	-

	Q1			Q2			Q3			Q4		
	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
Nova Scotia	12,689	13,003	13,416	13,658	13,869	13,800	-	-	-	-	-	-
Nunavut	62	67	61	60	61	63	-	-	-	-	-	-
Ontario	129,431	136,528	143,082	147,861	152,189	155,217	-	-	-	-	-	-
Prince Edward Island	1,279	1,286	1,413	1,515	1,577	1,610	-	-	-	-	-	-
Quebec	8,844	9,410	9,663	10,053	10,439	10,667	-	-	-	-	-	-
Saskatchewan	8,930	9,027	9,024	9,252	8,968	8,807	-	-	-	-	-	-
Yukon	122	127	131	136	152	160	-	-	-	-	-	-

Total number of shipments to registered clients during month

Canada	137,353	139,575	135,062	144,504	139,868	124,711	-	-	-	-	-	-
Alberta	42,309	41,092	39,340	42,357	39,167	33,914	-	-	-	-	-	-
British Columbia	4,451	5,162	4,681	5,707	5,309	4,741	-	-	-	-	-	-
Manitoba	4,231	4,554	4,529	4,898	4,702	4,187	-	-	-	-	-	-
New Brunswick	3,450	3,780	3,637	3,931	4,087	3,529	-	-	-	-	-	-
Newfoundland and Labrador	1,829	1,971	1,841	1,933	1,912	1,789	-	-	-	-	-	-
Northwest Territories	111	120	125	105	107	90	-	-	-	-	-	-
Nova Scotia	5,449	5,648	5,476	5,675	5,722	5,044	-	-	-	-	-	-
Nunavut	55	51	47	50	41	42	-	-	-	-	-	-
Ontario	66,362	67,690	66,304	70,152	69,338	63,051	-	-	-	-	-	-
Prince Edward Island	660	738	707	778	741	661	-	-	-	-	-	-
Quebec	4,999	5,305	5,048	5,292	5,283	4,804	-	-	-	-	-	-
Saskatchewan	3,375	3,400	3,252	3,544	3,399	2,812	-	-	-	-	-	-
Yukon	72	62	75	82	60	47	-	-	-	-	-	-

Health care practitioners

<u>5</u>	This refers to the amount of cannabis oil that was sold to registered clients during each month (expressed in litres of cannabis oil). Production data was reported in this manner starting in January 2018.	Q1 Apr.	May	Jun.	Jul.	Q2 Aug.	Sept.	Oct.	Q3 Nov.	Dec.	Q4 Jan.	Feb.	Mar.
<u>6</u>	This refers to the amount of cannabis oil that was made available for sale to registered clients during each month (expressed in kg of cannabis oil). Production data was reported in this manner starting in October 2016.												
<u>7</u>	This refers to the amount of cannabis oil that was made available for sale to registered clients during each month (expressed in litres of cannabis oil). Production data was reported in this manner starting in January 2018.												
<u>8</u>	Changes in inventories may be a result of amounts of cannabis oil sold, produced, destroyed and imported. Inventory refers to all cannabis oil held in stock at the end of each month. This may include cannabis oil that: (1) is intended for sale, but has not yet been tested/approved; (2) is approved for sale (has been tested and is ready for sale); or (3) is being held as samples.												
<u>9</u>	Changes in inventories may be a result of amounts of cannabis oil sold, produced, destroyed and imported. Inventory refers to all cannabis oil held in stock at the end of each month (expressed in litres of cannabis oil). This may include cannabis oil that: (1) is intended for sale, but has not yet been tested/approved; (2) is approved for sale (has been tested and is ready for sale); or (3) is being held as samples. Inventory data was reported in this manner starting in October 2016.												
<u>10</u>	This refers to the amount of cannabis oil that was imported into Canada by licenced dealers for medical and/or scientific purposes (expressed in litres of cannabis oil). Import data was reported in this manner starting in January 2018.												
<u>11</u>	This refers to the amount of cannabis oil that was exported out of Canada by licenced dealers for medical and/or scientific purposes (expressed in litres of cannabis oil). Export data was reported in this manner starting in January 2018.												
<u>12</u>	This refers to the number of active client registrations with licensed producers at the end of each month. Individuals may be registered with more than one licensed producer provided an original medical document was used with each registration. Clients of licensed producers may also be registered with Health Canada to produce a limited amount of cannabis for their own medical purposes or to designate someone to produce it for them.												
<u>13</u>	The ACMPR requires that health care practitioners include the daily quantity of dried cannabis, expressed in grams, on all medical documents used to register a client. It is the responsibility of each licensed producer to determine the quantity of cannabis oil that is equivalent to one gram of dried cannabis ("the equivalency factor"). Information about the equivalency factor is available on each licensed producer's website.												

Cannabis for medical purposes (FY 2018-19) - personal and designated production: monthly data

	Q1			Q2			Q3			Q4		
	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.

	Q1			Q2			Q3			Q4		
	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
Number of active registrations (as of the last day of the reporting period)												
Canada	17,334	19,983	21,541	22,994	24,418	25,447	-	-	-	-	-	-
Alberta	2,008	2,369	2,571	2,777	2,979	3,099	-	-	-	-	-	-
British Columbia	4,387	4,891	5,088	5,341	5,568	5,700	-	-	-	-	-	-
Manitoba	501	634	725	809	877	902	-	-	-	-	-	-
New Brunswick	619	708	723	781	820	826	-	-	-	-	-	-
Newfoundland and Labrador	75	88	101	117	122	133	-	-	-	-	-	-
Northwest Territories	5	6	6	0	0	0	-	-	-	-	-	-
Nova Scotia	826	939	999	1,045	1,104	1,156	-	-	-	-	-	-
Nunavut	0	0	0	5	5	5	-	-	-	-	-	-
Ontario	6,091	7,024	7,541	8,025	8,540	8,882	-	-	-	-	-	-
Prince Edward Island	36	43	47	47	53	55	-	-	-	-	-	-
Quebec	2,417	2,890	3,344	3,636	3,940	4,257	-	-	-	-	-	-
Saskatchewan	362	385	387	400	397	419	-	-	-	-	-	-
Yukon	7	6	9	11	13	13	-	-	-	-	-	-

Production for own medical purposes

Canada	16,317	18,852	20,346	21,730	23,096	24,096	-	-	-	-	-	-
Alberta	1,935	2,283	2,484	2,681	2,876	2,993	-	-	-	-	-	-
British Columbia	4,066	4,548	4,750	4,989	5,201	5,325	-	-	-	-	-	-
Manitoba	477	609	700	781	845	866	-	-	-	-	-	-
New Brunswick	590	674	685	744	785	789	-	-	-	-	-	-
Newfoundland and Labrador	73	86	99	114	119	130	-	-	-	-	-	-
Northwest Territories	5	6	6	4	4	4	-	-	-	-	-	-

1 This refers to the number of applications which have completed all processing steps. The process can result in a number of outcomes:

- the issuance of a registration certificate to the applicant, in the case of new applications, renewals or amendments;
- the application being returned in the case where the application was incomplete;
- the issuance of a notice of intent to refuse or a notice of final refusal.

	Q1			Q2			Q3			Q4		
	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
Nova Scotia	773	879	938	980	1,035	1,087	-	-	-	-	-	-
Nunavut	0	0	0	0	0	0	-	-	-	-	-	-
Ontario	5,806	6,700	7,179	7,649	8,156	8,497	-	-	-	-	-	-
Prince Edward Island	32	39	42	42	47	49	-	-	-	-	-	-
Quebec	2,205	2,653	3,086	3,357	3,643	3,949	-	-	-	-	-	-
Saskatchewan	348	369	368	378	372	394	-	-	-	-	-	-
Yukon	7	6	9	11	13	13	-	-	-	-	-	-

Production by designated person

Canada	1,017	1,131	1,195	1,264	1,322	1,351	-	-	-	-	-	-
Alberta	73	86	87	96	103	106	-	-	-	-	-	-
British Columbia	321	343	338	352	367	375	-	-	-	-	-	-
Manitoba	24	25	25	28	32	36	-	-	-	-	-	-
New Brunswick	29	34	38	37	35	37	-	-	-	-	-	-
Newfoundland and Labrador	2	2	2	3	3	3	-	-	-	-	-	-
Northwest Territories	0	0	0	0	0	0	-	-	-	-	-	-
Nova Scotia	53	60	61	65	69	69	-	-	-	-	-	-
Nunavut	0	0	0	1	1	1	-	-	-	-	-	-
Ontario	285	324	362	376	384	385	-	-	-	-	-	-
Prince Edward Island	4	4	5	5	6	6	-	-	-	-	-	-
Quebec	212	237	258	279	297	308	-	-	-	-	-	-
Saskatchewan	14	16	19	22	25	25	-	-	-	-	-	-
Yukon	0	0	0	0	0	0	-	-	-	-	-	-

Client service data

- 1 This refers to the number of applications which have completed all processing steps. The process can result in a number of outcomes:
- the issuance of a registration certificate to the applicant, in the case of new applications, renewals or amendments;
 - the application being returned in the case where the application was incomplete;
 - the issuance of a notice of intent to refuse or a notice of final refusal.

	Q1			Q2			Q3			Q4		
	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
The number of personal/designated registration applications processed per month ¹	4,947	5,434	4,956	4,164	3,966	2,901	-	-	-	-	-	-
The number of personal/designated registration application related calls answered per month	3,642	3,544	2,868	2,211	2,205	1,579	-	-	-	-	-	-

1 This refers to the number of applications which have completed all processing steps. The process can result in a number of outcomes:

- the issuance of a registration certificate to the applicant, in the case of new applications, renewals or amendments;
- the application being returned in the case where the application was incomplete;
- the issuance of a notice of intent to refuse or a notice of final refusal.

2017-18 Fiscal year reporting

Cannabis for medical purposes (FY 2017-18) - licensed producers: monthly data

[illegible]

	Q1			Q2			Q3			Q4	
	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.
Cannabis oil											
Amount sold to clients (kilograms)	1,918	2,165	2,111	2,416	2,675	2,578	3,002	3,267	3,005	3,437	3,212
Amount sold to clients (litres) ⁵	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3,693	3,458
Amount released for sale to clients (kilograms) ⁶	2,161	1,718	2,309	2,251	2,658	2,396	2,937	2,808	2,779	3,455	4,390
Amount released for sale to clients (litres) ⁷	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3,719	4,723
Total amount in licensed producers' inventories at end of month (kilograms) ⁸	5,142	5,381	6,713	8,708	8,293	8,585	8,138	10,205	11,140	12,577	15,630
Total amount in licensed producers' inventories at end of month (litres) ⁹	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	13,567	16,843
Amount imported (litres) ¹⁰	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0
Amount exported (litres) ¹¹	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0.025

Total number of client registrations at end of month ¹²

Canada	174,503	188,200	201,398	211,603	224,898	235,621	248,653	260,948	269,502	278,121	286,707
Alberta	60,479	68,055	74,013	79,170	85,541	91,150	96,406	100,817	104,272	107,333	109,976
British Columbia	7,454	7,756	8,103	8,433	8,815	9,061	9,472	9,726	9,985	10,254	10,571
Manitoba	2,987	3,325	3,598	3,849	4,249	4,663	5,259	6,025	6,650	7,482	8,300
New Brunswick	5,284	5,511	5,748	5,837	6,027	6,094	6,263	6,402	6,524	6,505	6,580
Newfoundland and Labrador	1,853	2,027	2,162	2,233	2,399	2,521	2,604	2,672	2,747	2,789	2,977
Northwest Territories	112	123	125	138	138	144	150	153	154	146	155
Nova Scotia	7,685	8,087	8,737	9,158	9,736	10,296	10,981	11,315	11,539	11,746	12,010
Nunavut	47	45	46	51	57	61	62	64	62	63	62
Ontario	77,692	81,522	86,196	89,483	93,508	96,390	101,255	107,060	110,338	114,418	118,290
Prince Edward Island	739	782	831	864	945	1,006	1,058	1,097	1,194	1,212	1,246

	Q1			Q2			Q3			Q4	
	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.
Quebec	5,149	5,330	5,630	5,886	6,172	6,369	6,718	7,036	7,318	7,578	7,947
Saskatchewan	4,937	5,535	6,108	6,397	7,193	7,749	8,310	8,466	8,601	8,476	8,471
Yukon	85	102	101	104	118	117	115	115	118	119	122

Total number of shipments to registered clients during month

Canada	86,985	102,034	103,270	104,737	111,511	109,603	119,687	122,263	114,928	130,925	116,031
Alberta	30,103	33,970	33,889	34,114	35,653	36,518	39,206	40,268	37,561	42,795	37,623
British Columbia	2,876	3,332	3,278	3,237	3,370	3,342	3,735	3,761	3,574	4,211	3,845
Manitoba	1,462	1,774	1,827	1,871	2,114	2,110	2,488	2,694	2,730	3,616	3,361
New Brunswick	2,902	2,991	2,787	2,752	3,043	2,901	3,110	3,197	3,169	3,453	2,980
Newfoundland and Labrador	1,204	1,432	1,366	1,377	1,474	1,477	1,599	1,542	1,501	1,686	1,591
Northwest Territories	76	101	91	83	93	93	106	100	98	111	97
Nova Scotia	3,467	3,829	3,932	3,916	4,344	4,595	4,949	4,833	4,772	5,337	4,669
Nunavut	30	40	38	35	46	42	49	50	44	50	51
Ontario	39,165	47,746	49,159	50,373	53,825	51,007	56,223	57,630	53,906	61,282	54,356
Prince Edward Island	456	537	533	543	537	550	582	621	656	717	632
Quebec	2,790	3,452	3,417	3,556	3,808	3,752	4,152	4,318	3,945	4,356	4,036
Saskatchewan	2,407	2,776	2,901	2,826	3,130	3,160	3,424	3,190	2,919	3,241	2,732
Yukon	47	54	52	54	74	56	64	59	53	70	58

Health care practitioners

Health care practitioners that provided a medical document for a client who registered with an LP in the reporting period	2,359	2,314	2,786	2,544	2,284	2,643	2,511	2,667	2,475	3,011	3,154
Total number of health care practitioners that have ever provided a medical document for a client who registered with an LP	N/A	N/A	N/A	9,726	10,179	10,433	10,767	10,916	11,058	11,946	12,584

	Q1			Q2			Q3			Q4	
	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.
Average amount of dried cannabis for medical purposes authorized per client (grams/day) ¹³	2.3	2.3	2.3	2.3	2.3	2.5	2.4	2.4	2.4	2.1	2.1

- 1 This refers to the amount of dried cannabis that was made available for sale to registered clients during each month (expressed in kg of dried cannabis). Production data was reported in this manner starting in October 2016.
- 2 Changes in inventories may be a result of amounts of dried cannabis sold, produced, destroyed and imported. Inventory refers to all dried cannabis held in stock at the end of each month. This may include dried cannabis that: (1) is intended for sale, but has not yet been tested/approved; (2) is approved for sale (has been tested and is ready for sale); (3) is intended for extraction activities; or (4) is being held as samples.
- 3 This refers to the amount of dried cannabis that was imported into Canada for medical and/or scientific purposes (expressed in kg of dried cannabis). Import data was reported in this manner starting in January 2018.
- 4 This refers to the amount of dried cannabis that was exported out of Canada for medical and/or scientific purposes (expressed in kg of dried cannabis). Export data was reported in this manner starting in January 2018.
- 5 This refers to the amount of cannabis oil that was sold to registered clients during each month (expressed in litres of cannabis oil). Production data was reported in this manner starting in January 2018.
- 6 This refers to the amount of cannabis oil that was made available for sale to registered clients during each month (expressed in kg of cannabis oil). Production data was reported in this manner starting in October 2016.
- 7 This refers to the amount of cannabis oil that was made available for sale to registered clients during each month (expressed in litres of cannabis oil). Production data was reported in this manner starting in January 2018.
- 8 Changes in inventories may be a result of amounts of cannabis oil sold, produced, destroyed and imported. Inventory refers to all cannabis oil held in stock at the end of each month. This may include cannabis oil that: (1) is intended for sale, but has not yet been tested/approved; (2) is approved for sale (has been tested and is ready for sale); or (3) is being held as samples.
- 9 Changes in inventories may be a result of amounts of cannabis oil sold, produced, destroyed and imported. Inventory refers to all cannabis oil held in stock at the end of each month (expressed in litres of cannabis oil). This may include cannabis oil that: (1) is intended for sale, but has not yet been tested/approved; (2) is approved for sale (has been tested and is ready for sale); or (3) is being held as samples. Inventory data was reported in this manner starting in October 2016.
- 10 This refers to the amount of cannabis oil that was imported into Canada by licenced dealers for medical and scientific purposes (expressed in litres of cannabis oil). Import data was reported in this manner starting in January 2018.

11 This refers to the amount of cannabis oil that was exported out of Canada by licenced dealers for medical or scientific purposes (expressed in litres of cannabis oil). ^{Q1} ^{Q2} ^{Q3} ^{Q4}
 Apr. May Jun. Jul. Aug. Sept. Oct. Nov. Dec. Jan. Feb. Mar.
 2018. Data updated from previously reported figures

12 This refers to the number of active client registrations with licensed producers at the end of each month. Individuals may be registered with more than one licensed producer provided an original medical document used with each registration. Clients of licensed producers may also be registered with Health Canada to procure a limited amount of cannabis for their own medical purposes or to designate someone to produce it for them.

13 The ACMPR requires that health care practitioners include the daily quantity of dried cannabis, expressed in grams, on all medical documents used to register a client. It is the responsibility of each licensed producer to determine the quantity of cannabis oil that is equivalent to one gram of dried cannabis ("the equivalency factor"). Information about the equivalency factor is available on each licensed producer's website.

Cannabis for medical purposes (FY (fiscal year) 2017-18) - licensed producers: monthly data

	Q1			Q2			Q3			Q4		
	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
Number of active registrations (as of the last day of the reporting period)												
Canada	4,480	5,212	6,880	8,823	10,547	11,640	12,854	13,124	13,829	14,170	14,583	15,618
Alberta	419	468	629	877	1,062	1,224	1,347	1,365	1,460	1,543	1,606	1,786
British Columbia	1,489	1,720	2,201	2,797	3,329	3,511	3,768	3,832	3,993	4,026	4,034	4,143
Manitoba	95	140	184	224	256	274	312	326	343	348	373	422
New Brunswick	164	194	259	357	440	498	582	573	587	570	560	572
Newfoundland and Labrador	24	30	38	43	50	53	52	53	57	57	63	68
Northwest Territories	4	4	4	6	6	6	5	4	6	6	5	4
Nova Scotia	205	232	281	347	423	471	530	567	606	647	697	740
Nunavut	0	0	0	0	0	0	0	0	0	0	0	0
Ontario	1,641	1,923	2,590	3,294	3,871	4,279	4,704	4,731	4,941	5,002	5,119	5,476
Prince Edward Island	11	12	14	18	22	25	28	32	36	36	39	34
Quebec	277	329	487	635	839	1,040	1,242	1,339	1,496	1,618	1,756	2,020
Saskatchewan	150	158	191	228	246	255	278	295	297	311	324	346

- 1** This refers to the number of applications which have completed all processing steps. The process can result in a number of outcomes:
- the issuance of a registration certificate to the applicant, in the case of new applications, renewals or amendments;
 - the application being returned in the case where the application was incomplete;
 - the issuance of a notice of intent to refuse or a notice of final refusal.

	Q1			Q2			Q3			Q4		
	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
Yukon	1	2	2	3	3	4	6	7	7	6	7	7
Production for own medical purposes												
Canada	4,148	4,822	6,374	8,186	9,815	10,916	12,046	12,296	12,957	13,281	13,683	14,707
Alberta	406	449	598	833	1,015	1,174	1,289	1,311	1,401	1,485	1,552	1,729
British Columbia	1,357	1,565	2,002	2,558	3,064	3,264	3,508	3,562	3,712	3,735	3,734	3,842
Manitoba	91	134	175	210	241	261	291	305	320	326	353	401
New Brunswick	154	183	244	337	420	481	556	543	556	541	528	544
Newfoundland and Labrador	23	28	36	41	47	50	50	50	55	56	62	66
Northwest Territories	4	4	4	5	5	5	4	3	5	5	5	4
Nova Scotia	185	210	257	314	386	432	491	524	559	604	653	692
Nunavut	0	0	0	0	0	0	0	0	0	0	0	0
Ontario	1,538	1,800	2,433	3,094	3,637	4,043	4,447	4,474	4,679	4,738	4,858	5,221
Prince Edward Island	11	12	14	18	22	25	28	30	34	33	35	30
Quebec	236	286	427	554	740	930	1,108	1,203	1,344	1,454	1,585	1,840
Saskatchewan	142	149	182	219	235	247	268	284	285	298	311	331
Yukon	1	2	2	3	3	4	6	7	7	6	7	7
Production by designated person												
Canada	332	390	506	637	732	724	808	828	872	889	900	911
Alberta	13	19	31	44	47	50	58	54	59	58	54	57
British Columbia	132	155	199	233	265	247	260	270	281	291	300	301
Manitoba	4	6	9	14	15	13	21	21	23	22	20	21
New Brunswick	10	11	15	20	20	17	26	30	31	29	32	28
Newfoundland and Labrador	1	2	2	2	3	3	2	3	2	1	1	2
Northwest Territories	0	0	0	1	1	1	1	1	1	1	0	0
Nova Scotia	20	22	24	33	37	39	39	43	47	43	44	48
Nunavut	0	0	0	0	0	0	0	0	0	0	0	0
Ontario	103	123	157	200	234	236	257	257	262	264	261	255

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- the application being returned in the case where the application was incomplete;
- the issuance of a notice of intent to refuse or a notice of final refusal.

	Q1			Q2			Q3			Q4		
	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
Prince Edward Island	0	0	0	0	0	0	0	2	2	3	4	4
Quebec	41	43	60	81	99	110	134	136	152	164	171	180
Saskatchewan	8	9	9	9	11	8	10	11	12	13	13	15
Yukon	0	0	0	0	0	0	0	0	0	0	0	0

Client service data

The number of personal/designated registration applications processed per month ¹	N/A	N/A	N/A	2,870	3,212	2,925	3,369	3,193	2,926	3,402	3,060	4,166
The number of personal/designated registration application related calls answered per month	N/A	N/A	N/A	5,780	5,924	5,756	6,098	5,603	3,851	5,746	5,698	6,715

¹ This refers to the number of applications which have completed all processing steps. The process can result in a number of outcomes:

- the issuance of a registration certificate to the applicant, in the case of new applications, renewals or amendments;
- the application being returned in the case where the application was incomplete;
- the issuance of a notice of intent to refuse or a notice of final refusal.

2016-17 Fiscal year reporting

Cannabis for medical purposes (FY 2016-17) - licensed producers: quarterly Data

	April 1, 2016 to June 30, 2016 (Q1)	July 1, 2016 to September 30, 2016 (Q2)	October 1, 2016 to December 31, 2016 (Q3)	January 1, 2017 to March 31, 2017 (Q4)
Dried cannabis				
Amount sold to clients (kilograms)	4,037	4,773	5,134	5,836
Amount produced (kilograms)	5,014	5,734	N/A	N/A
Amount released for sale to clients (kilograms)	N/A	N/A	4,577	5,674
Amount in licensed producers' inventories at end of month (kilograms) ¹	11,788	13,246	18,087	18,140
Cannabis oil				
Amount sold to clients (kilograms)	1,500	2,420	4,109	5,673
Amount produced (kilograms)	1,654	3,116	N/A	N/A

	April 1, 2016 to June 30, 2016 (Q1)	July 1, 2016 to September 30, 2016 (Q2)	October 1, 2016 to December 31, 2016 (Q3)	January 1, 2017 to March 31, 2017 (Q4)
Amount released for sale to clients (kilograms)	N/A	N/A	3,975	5,298
Amount in licensed producers' inventories at end of month (kilograms) ²	2,038	3,330	3,724	5,198
Client data				
Average amount of dried cannabis for medical purposes authorized per client (grams/day) ³	2.7	2.6	2.5	2.4
Average amount of cannabis for medical purposes per client shipment (grams/day)	0.96	0.89	0.79	0.75
Total number of clients registered at end of quarter	75,166	98,460	129,876	167,754

1 Changes in inventories may be a result of amounts of dried cannabis sold, produced, destroyed and imported.

Inventory refers to all dried cannabis held in stock at the end of each quarter. This may include dried cannabis that: (1) is intended for sale, but has not yet been tested/approved; (2) is approved for sale (has been tested and is ready for sale); (3) is intended for extraction activities; or (4) is being held as samples. Companies may only keep inventory up to the maximum capacity allowed by their licence.

2 Changes in inventories may be a result of amounts of cannabis oil sold, produced, destroyed and imported.

Inventory refers to all cannabis oil held in stock at the end of each quarter. This may include cannabis oil that: (1) is intended for sale, but has not yet been tested/approved; (2) is approved for sale (has been tested and is ready for sale); or (3) is being held as samples. Companies may only keep inventory up to the maximum capacity allowed by their licence.

3 The MMPR required that health care practitioners include the daily quantity of dried cannabis, expressed in grams, on all medical documents used to register a client. This remains a requirement under the ACMPR. It is the responsibility of each licensed producer to determine the quantity of cannabis oil that is equivalent to one gram of dried cannabis ("the equivalency factor"). Information about the equivalency factor is available on each licensed producer's website.

Cannabis for medical purposes (FY (fiscal year) (fiscal year) 2016-17) - licensed producers: quarterly Data

	April 1, 2016 to June 30, 2016 (Q1)	July 1, 2016 to September 30, 2016 (Q2)	October 1, 2016 to December 31, 2016 (Q3)	January 1, 2017 to March 31, 2017 (Q4)
Number of active registrations (as of the last day of the reporting period)				

	April 1, 2016 to June 30, 2016 (Q1)	July 1, 2016 to September 30, 2016 (Q2)	October 1, 2016 to December 31, 2016 (Q3)	January 1, 2017 to March 31, 2017 (Q4)
Total	N/A	192	2,007	3,422
Production for Own Medical Purposes	N/A	189	1,899	3,186
Production by Designated Person	N/A	3	108	236

Cannabis for medical purposes (FY 2015 – 16) – licensed producers: quarterly data

	April 1, 2015 to June 30, 2015 (Q1)	July 1, 2015 to September 30, 2015 (Q2)	October 1, 2015 to December 31, 2015 (Q3)	January 1, 2016 to March 31, 2016 (Q4)
Dried cannabis				
Amount sold to clients (kilograms)	1,371	1,873	2,481	3,082
Amount produced (kilograms) ¹	1,867	2,142	2,684	4,037
Amount in licensed producers' inventories at end of quarter (kilograms) ²	5,445	7,312	9,729	10,695
Cannabis oil				
Amount sold to clients (kilograms)	N/A	N/A	3	584
Amount produced (kilograms) ⁴	N/A	9	128	892
Amount in licensed producers' inventories at end of quarter (kilograms) ⁵	N/A	7	208	1,421
Client data				
Average amount of dried cannabis for medical purposes authorized per client (grams/day) ⁶	3.3	3.0	2.9	2.8
Average amount of cannabis for medical purposes per client shipment (grams/day)	1.08	1.12	1.12	1.03
Total number of clients registered at end of quarter	23,930	30,537	39,668	53,649

	April 1, 2015 to June 30, 2015 (Q1)	July 1, 2015 to September 30, 2015 (Q2)	October 1, 2015 to December 31, 2015 (Q3)	January 1, 2016 to March 31, 2016 (Q4)
1	This refers to the amount of dried cannabis produced that was tested, approved, and ready for sale during each quarter (expressed in kg of dried cannabis).			
2	Changes in inventories may be a result of amounts of dried cannabis sold, produced, destroyed and imported. Inventory refers to all dried cannabis held in stock at the end of each quarter. This may include dried cannabis that: (1) has been dried, but not tested; (2) has been dried and tested, but not approved; or (3) is ready for sale (has been dried, tested, approved, packaged and labelled). Companies may only keep inventory up to the maximum capacity allowed by their licence.			
3	There were sales of cannabis oil in Q3 by only one licensed producer. As the data is not aggregate sales from multiple licensed producers, the specific amount of cannabis oil sold is being withheld because it is considered confidential business information.			
4	This refers to the amount of cannabis oil produced that was tested, approved, and ready for sale during each quarter (expressed in kg of cannabis oil).			
5	Changes in inventories may be a result of amounts of cannabis oil sold, produced, and destroyed. Inventory refers to all cannabis oil held in stock at the end of each quarter. This may include cannabis oil that: (1) has not been tested; (2) has been tested, but not approved; or (3) is ready for sale (has been tested, approved, packaged and labelled). Companies may only keep inventory up to the maximum capacity allowed by their licence.			
6	The Marihuana for Medical Purposes Regulations require that health care practitioners include the daily quantity of dried cannabis, expressed in grams, on all medical documents used to register a client. It is the responsibility of each licensed producer to determine the quantity of cannabis oil that is equivalent to one gram of dried cannabis ("the equivalency factor"). Information about the equivalency factor is available on each licensed producer's website.			

2014 - 2015 Fiscal Year Reporting

Cannabis for medical purposes (FY 2014-15) - licensed producers: quarterly data

	April 1, 2014 to June 30, 2014 (Q1)	July 1, 2014 to September 30, 2014 (Q2)	October 1, 2014 to December 31, 2014 (Q3)	January 1, 2015 to March 31, 2015 (Q4)

	April 1, 2014 to June 30, 2014 (Q1)	July 1, 2014 to September 30, 2014 (Q2)	October 1, 2014 to December 31, 2014 (Q3)	January 1, 2015 to March 31, 2015 (Q4)
Amount of dried cannabis sold to clients (kilograms)	408	596	789	979
Amount of dried cannabis produced during quarter (kilograms) ¹	1,020	1,435	1,809	1,618
Amount of dried cannabis for medical purposes in licensed producers' inventories at end of quarter (kilograms) ²	1,134	2,021	2,994	4,667
Average amount of cannabis for medical purposes authorized per client (grams/day)	4	4	4	4
Average amount of cannabis for medical purposes per client shipment (grams/day)	1	1	1	1
Total number of clients registered at end of quarter	7,914	12,409	15,545	18,512

- 1** This refers to the amount of dried cannabis produced that was tested, approved, and ready for sale during each quarter (expressed in kg of dried cannabis). The amount does not include cannabis oil.
- 2** Changes in inventories may be a result of amounts of cannabis for medical purposes sold, produced, destroyed and imported.
- Inventory refers to all dried cannabis held in stock at the end of each quarter. This may include dried cannabis that: (1) has been dried, but not tested; (2) has been dried and tested, but not approved; or (3) is ready for sale (has been dried, tested, approved, packaged and labelled). Companies may only keep inventory up to the maximum capacity allowed by their licence.

Date modified:

2019-08-29

The Environmental Downside of Cannabis Cultivation- the facts**:

Wide-scale cannabis cultivation is causing environmental damage. Federal and Provincial and Regional regulations are needed.

New research has linked production of the once-verboten plant to a host of issues ranging from water theft and degradation of public lands to wildlife deaths and potential ozone effects.

In Denver, in particular, cannabis production has had an unfortunate effect on the air. The city ranks 12th in terms of worst air quality in the United States. And it's not the pot smoke that's affecting the air, the culprit is a little less obvious than that. It's the terpenes, the organic compounds that make the marijuana plant smell so strong. . High concentrations of VOCs have been linked to a range of human **health issues**, from nausea and fatigue to liver damage and cancer.

Terpenes are classified as volatile organic compounds (VOCs). While VOCs are harmless alone, when they combine with combustion gases, like the nitrogen oxides produced by cars and industrial sources, they create ground-level ozone; the 'bad' kind of ozone that **can trigger a variety of health problems for humans and animals.**

The **water-hungry crop** is often grown in remote, forested watersheds and requires almost 22 liters of water per plant a day during the growing season, which adds up to three billion liters per square kilometer of greenhouse-grown plants between June and October.

According to a 2018 study published in California in the Humboldt Journal of Social Relations. the Cannabis grows drained and polluted streams, **degraded watersheds and killed wildlife.**

Mule deer, gray foxes, coyotes, northern spotted owls and ravens have been victims of poisoning, linked to cannabis cultivation.

Light pollution plagues cities, but this time it's encroaching into rural areas, and some are concerned. For example, there have been complaints in Kingsville, Ont., Leamington, Pelham, and Langley, B.C.

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REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. P1399

OFFICIAL ZONING TEXT AMENDMENT

A bylaw of the Regional District of Alberni-Clayoquot to amend Bylaw No. 15, being the "Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971".

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 in accordance with Sections 464, 465, 470 and 479 of the *Local Government Act*;

AND WHEREAS the Board of Directors of the Regional District of Alberni-Clayoquot, in open meeting assembled, enacts the following amendment to the text of the Regional District of Alberni-Clayoquot Zoning By-law No. 15, 1971:

1. TITLE

This bylaw may be cited as the Regional District of Alberni-Clayoquot Zoning Text Amendment Bylaw No. P1399.

2. Bylaw No. 15 of the Regional District of Alberni-Clayoquot is hereby amended as follows:

a. Section 3 is hereby amended by removing the following definition:

"Medical Marihuana Facility means a building or structure, approved and licensed by Health Canada, for the production, growing and incidental processing of medical marihuana, but specifically excluding storefront or retail outlet distribution of medical marihuana."

b. Section 3 is hereby amended by adding the following definition:

"Medical Cannabis Production means the production, growing, processing, storage or distribution of cannabis for medical purposes as permitted by federal legislation, but specifically excluding the:

- i. *production, growing and associated processing, storage or distribution of cannabis for medical purposes within a non-soil based structure, building, prefabricated structure or container that is placed, sited, constructed, or commenced to be constructed, after September 1, 2019;*
- ii. *storefront or retail outlet distribution of cannabis; and*
- iii. *growing of cannabis by an individual for their personal use."*

c. Section 3 is hereby amended by amending the following definition:

“Non-Medical Cannabis Production means the production, growing, processing, storage or distribution of commercial non-medical cannabis as permitted by federal legislation, but specifically excluding the:

- i. production, growing and associated processing, storage or distribution of commercial non-medical cannabis within a non-soil based structure, building, prefabricated structure or container that is placed, sited, constructed, or commenced to be constructed, after September 1, 2019;*
- ii. storefront or retail outlet distribution of cannabis; and*
- iii. growing of cannabis by an individual for their personal use.”*

d. Section 101 Small Holdings (A1) District is hereby amended by amending subsection 101.1(10) to read as follows:

“(10) Medical Cannabis Production provided that the use in any building, structure or area used for the production of cannabis for medical purposes is sited:

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.*
- ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and*
- iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.”*

e. Section 101 Small Holdings (A1) District is hereby amended by amending subsection 101.1(11) to read as follows:

“(11) Non-Medical Cannabis Production provided that the use in any building, structure or area used for the production of non-medical cannabis is sited:

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.*
- ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and*
- iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.”*

f. Section 102 Rural (A2) District is hereby amended by amending subsection 102.1(14) to read as follows:

“(14) Medical Cannabis Production provided that the use in any building, structure or area used for the production of cannabis for medical purposes is sited:

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
- ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
- iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.”

g. Section 102 Rural (A2) District is hereby amended by amending subsection 102.1(15) to read as follows:

“(15) Non-Medical Cannabis Production provided that the use in any building, structure or area used for the production of non-medical cannabis is sited:

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
- ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
- iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.”

h. Section 103 Forest Rural (A3) District is hereby amended by amending subsection 103.1(15) to read as follows:

“(15) Medical Cannabis Production provided that the use in any building, structure or area used for the production of cannabis for medical purposes is sited:

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
- ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
- iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.”

i. Section 103 Forest Rural (A3) District is hereby amended by amending subsection 103.1(16) to read as follows:

“(16) Non-Medical Cannabis Production provided that the use in any building, structure or area used for the production of non-medical cannabis is sited:

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.

- ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
 - iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.”
- j. Section 131 Industrial Park (M1) District is hereby amended by amending subsection 131.1(12) to read as follows:

“(12) Medical Cannabis Production provided that the use in any building, structure or area used for the production of cannabis for medical purposes is sited:

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
 - ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
 - iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.”
- k. Section 131 Industrial Park (M1) District is hereby amended by amending subsection 131.1(13) to read as follows:

“(13) Non-Medical Cannabis Production provided that the use in any building, structure or area used for the production of non-medical cannabis is sited:

- i. If located outside of the Agricultural Land Reserve, a minimum of 60 metres from all lot lines and 300 metres from existing schools and parks.
 - ii. If located within the Agricultural Land Reserve, a minimum of 30 metres from all lot lines, 60 metres from residential and institutional zoning districts and 300 metres from existing schools and parks; and
 - iii. If located outside of the Agricultural Land Reserve, on a lot with a minimum lot size of 2.43 hectares (6 acres). If located within the Agricultural Land Reserve, no minimum lot size applies.”
3. This bylaw shall come into force and take effect upon the adoption thereof.

Read a first time this 11th day of September, 2019

Amended this 23rd day of October, 2019

Read a second time as amended this 23rd day of October, 2019

First Public Hearing held this 19th day of November, 2019

Second Public Hearing held this day of , 2020

Read a third time this day of , 2020

Adopted this day of , 2020

Douglas Holmes, BBA, CPA, CA
Chief Administrative Officer

Chair of the Regional Board