



# PEACE RIVER REGIONAL DISTRICT

## Public Hearing Revised Agenda

December 11, 2020, 10:00 a.m.  
1981 Alaska Avenue, Dawson Creek, BC

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## STATEMENT OF PUBLIC HEARING

This public hearing is reconvened pursuant to Section 465 of the *Local Government Act* to provide the Board the opportunity to receive **written** representations from stakeholders and the public, regarding proposed Zoning Amendment Bylaw No. 2377 (Cannabis), 2020.

Residents across the region were alerted to the proposed changes and invited to provide their feedback by email, letter, or attendance at the public hearing held on November 26, 2020, in person or on the phone. At that time, the public hearing was extended to provide additional time to receive written submissions which were accepted until 4:00 pm on December 10, 2020.

The public hearing was recessed and scheduled to be reconvened today, December 11, 2020.

The purpose of today's public hearing is to receive any written comments regarding the proposed changes to the PRRD Zoning bylaws to allow cannabis related business in select commercial zones.

After this public hearing has concluded, the Board may, without further notice, give whatever effect the Board believes proper to the representations made at this hearing.

## INTRODUCTION TO PROPOSAL

### **Property Location:**

All Electoral areas in the Peace River Regional District are affected by the proposed bylaw amendments.

### **Proposal:**

Bylaw 2377 proposes to amend all five PRRD Zoning Bylaws to allow cannabis retail stores and cannabis related business in select commercial zones, with conditions to maintain separation between cannabis related businesses, and places of worship, schools and day cares, parks, medical clinics, rehabilitation centres, or other cannabis related businesses.

Please review Bylaw 2377 (attached) for details.

**PEACE RIVER REGIONAL DISTRICT**  
**Bylaw No. 2377, 2020**

A bylaw to amend

"Peace River-Liard Regional District Zoning Bylaw No. 85, 1979"  
"Peace River-Liard Regional District Zoning Bylaw No. 479, 1986"  
"Peace River-Liard Regional District Zoning Bylaw No. 506, 1986"  
"Peace River Regional District Zoning Bylaw No. 1000, 1996"; and,  
"Peace River Regional District Zoning Bylaw No. 1343, 2001."

WHEREAS, the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia *Local Government Act*, adopt "Peace River-Liard Regional District Zoning Bylaw No. 85, 1979," "Peace River-Liard Regional District Zoning Bylaw No. 479, 1986," "Peace River-Liard Regional District Zoning Bylaw No. 506, 1986," "Peace River Regional District Zoning Bylaw No. 1000, 1996," and, "Peace River Regional District Zoning Bylaw No. 1343, 2001,"

NOW THEREFORE the Regional Board of the Peace River Regional District, in open meeting assembled, enacts as follows:

**SECTION ONE - CITATION**

1. This bylaw may be cited for all purposes as "Peace River Regional District Zoning Amendment Bylaw No. 2377 (Cannabis), 2020."

**SECTION TWO - TEXT AMENDMENTS**

2. That "**Peace River-Liard Regional District Zoning Bylaw No. 85, 1979**" is hereby amended as follows:
  - a) That the following definitions be added to Definitions, 1.2.0, in alphabetical order:

**Cannabis** means cannabis as defined in the federal *Cannabis Act*.

**Cannabis Processing Facility** means cultivating, growing, processing, testing, producing, packaging, storing, distributing, or dispensing of cannabis or any products containing or derived from cannabis as lawfully permitted and authorized under the federal *Cannabis Act*.

**Cannabis Retail Store** means the retail sale of cannabis, cannabis products, cannabis accessories, or any product containing or derived from cannabis as lawfully permitted and authorized under the provincial *Cannabis Control and Licensing Act*.

- b) That section 1.4.0 be deleted and replaced with the following:

"1.4.0 Subject to the provisions of the *Local Government Act* and the *Community Charter*, as amended from time to time, respecting non-conforming use, no person shall erect, construct, locate, alter, reconstruct or maintain any building or locate or carry on any industry, business, trade or calling, or use any land or building or structure or surface of water or air space contrary to the provisions of this bylaw."
  - c) That under the Industrial Commercial II Zone (Service-Commercial, Service Industrial), Section 2.6.0 "Permitted Uses", the following use be added:

E) Cannabis Retail Store

- d) That under Industrial Commercial II Zone (Service-Commercial, Service Industrial), Section 2.6.13 "General Requirements", the following be added:

- (8) "Where permitted, cannabis retail stores may not be located on properties within:
      - i. 200 metres from a parcel containing a school or day care; and

- ii. 100 metres from any parcel containing a park, place of worship, medical clinic, rehabilitation centre, or other cannabis-related business.”

4. That “**Peace River-Liard Regional District Zoning Bylaw No. 479, 1986**” is hereby amended as follows:

- a) That the following definitions be added to PART THREE – DEFINITIONS 3.0, in alphabetical order:

**Cannabis** means cannabis as defined in the federal *Cannabis Act*.

**Cannabis Processing Facility** means cultivating, growing, processing, testing, producing, packaging, storing, distributing, or dispensing of cannabis or any products containing or derived from cannabis as lawfully permitted and authorized under the federal *Cannabis Act*.

**Cannabis Retail Store** means the retail sale of cannabis, cannabis products, cannabis accessories, or any product containing or derived from cannabis as lawfully permitted and authorized under the provincial *Cannabis Control and Licensing Act*.

- b) That under PART SIX – ZONES, C-1 Local Commercial Zone, Section 6.50(A) “Permitted Uses”, the following use be added:
  - (vi) Cannabis Retail Store
- c) That under PART SEVEN – GENERAL REGULATIONS, Section 7.1 be deleted and replaced with “Except as otherwise specified in this bylaw, the general regulations in Section 7 apply to all zones.”
- d) That under PART SEVEN – GENERAL REGULATIONS the following be added:
  - “7.14 Cannabis-retail Store
    - (a) “Where permitted, cannabis retail stores may not be located on properties within:
      - i. 200 metres from a parcel containing a school or day care; and
      - ii. 100 metres from any parcel containing a park, place of worship, medical clinic, rehabilitation centre, or other cannabis-related business.”

5. That “**Peace River-Liard Regional District Zoning Bylaw No. 506, 1986**” is hereby amended as follows:

- a) That the following definitions be added to PART THREE – DEFINITIONS 3.0, in alphabetical order:

**Cannabis** means cannabis as defined in the federal *Cannabis Act*.

**Cannabis Processing Facility** means cultivating, growing, processing, testing, producing, packaging, storing, distributing, or dispensing of cannabis or any products containing or derived from cannabis as lawfully permitted and authorized under the federal *Cannabis Act*.

**Cannabis Retail Store** means the retail sale of cannabis, cannabis products, cannabis accessories, or any product containing or derived from cannabis as lawfully permitted and authorized under the provincial *Cannabis Control and Licensing Act*.

- b) That under PART SIX – ZONES, C-1 Local Commercial Zone, Section 6.50 (A) “Permitted Uses”, the following use be added:
  - (vi) Cannabis Retail Store
- c) That under PART SEVEN – GENERAL REGULATIONS, Section 7.1 be deleted and replaced with “Except as otherwise specified in this bylaw, the general regulations in Section 7 apply to all zones.”
- d) That under PART SEVEN – GENERAL REGULATIONS, the following section be added:
  - Section 7.14 **Cannabis Retail Store**

“Where permitted, cannabis retail stores may not be located on properties within:

- i. 200 metres from a parcel containing a school or day care; and
- ii. 100 metres from any parcel containing a park, place of worship, medical clinic, rehabilitation centre, or other cannabis-related business.

6. That “**Peace River Regional District Zoning Bylaw No. 1000, 1996**” is hereby amended as follows:

a) That the following definition be added to Part II – Definitions, Section 3 – Definitions, in alphabetical order:

**Cannabis** means cannabis as defined in the federal *Cannabis Act*.

**Cannabis Processing Facility** means cultivating, growing, processing, testing, producing, packaging, storing, distributing, or dispensing of cannabis or any products containing or derived from cannabis as lawfully permitted and authorized under the federal *Cannabis Act*.

**Cannabis Retail Store** means the retail sale of cannabis, cannabis products, cannabis accessories, or any product containing or derived from cannabis as lawfully permitted and authorized under the provincial *Cannabis Control and Licensing Act*.

b) That under PART IV – GENERAL REGULATIONS, SECTION 30 STORAGE be deleted in its entirety and replaced with:

**“SECTION 30 USES PROHIBITED IN ALL ZONES**

In all Zones:

- a) no parcel of land shall be used for the wrecking or storage of more than one derelict vehicle or as a junkyard, except as provided for in the Industrial-1 (I-1) or Industrial-2 (I-2) zone;
- b) where permitted, cannabis retail stores may not be located on properties within:
  - i. 200 metres from a parcel containing a school or day care; and
  - ii. 100 metres from any parcel containing a park, place of worship, medical clinic, rehabilitation centre, or other cannabis-related business.”
- c) That under Part VI – ZONES, Section 43 NC (Neighbourhood Commercial Zone), “Permitted Uses”, the following use be added:
  - (e) Cannabis Retail Store

7. That “**Peace River Regional District Zoning Bylaw No. 1343, 2001**” is hereby amended as follows:

a) That the following definition be added to Part II – Definitions, Section 3 – Definitions, in alphabetical order:

**Cannabis** means cannabis as defined in the federal *Cannabis Act*.

**Cannabis Processing Facility** means cultivating, growing, processing, testing, producing, packaging, storing, distributing, or dispensing of cannabis or any products containing or derived from cannabis as lawfully permitted and authorized under the federal *Cannabis Act*.

**Cannabis Retail Store** means the retail sale of cannabis, cannabis products, cannabis accessories, or any product containing or derived from cannabis as lawfully permitted and authorized under the provincial *Cannabis Control and Licensing Act*.

b) That under PART III – BASIC PROVISIONS, SECTION 27 STORAGE be deleted and replaced with the following:

**“SECTION 27 USES PROHIBITED IN ALL ZONES**

In all Zones:

- a) no parcel of land shall be used for the wrecking or storage of more than one derelict vehicle or as a junkyard, except as provided for in the Industrial-1 (I-1) or Industrial-2 (I-2) zone;
- b) where permitted, cannabis retail stores may not be located on properties within:
  - i. 200 metres from a parcel containing a school or day care; and
  - ii. 100 metres from any parcel containing a park, place of worship, medical clinic, rehabilitation centre, or other cannabis-related business.”
- c) That under Part VI – ZONES, Section 41 C-1 (Local Commercial Zone), “Permitted Uses”, the following use be added:
  - (ee) Cannabis Retail Store
- d) That under Part VI – ZONES, Section 42 C-2 (General Commercial Zone), “Permitted Uses”, the following use be added:
  - (uu) Cannabis Retail Store

**SECTION THREE - ADMINISTRATIVE**

8. If any provision of this bylaw is declared to be illegal, invalid, or ultra vires, in whole or part, then that provision shall not apply and the remainder of this bylaw shall continue in full force and effect and be construed as if it had been enacted without the illegal, invalid, or ultra vires provision.
9. “Peace River Regional District Zoning Amendment Bylaw No. 2316 (Cannabis-Related Business), 2018” is hereby repealed.

READ A FIRST TIME THIS	<u>22<sup>nd</sup></u>	day of	<u>October</u>	, 2020.
READ A SECOND TIME THIS	<u>22<sup>nd</sup></u>	day of	<u>October</u>	, 2020.
Notification published on the	<u>12<sup>th</sup> and 13<sup>th</sup></u>	day of	<u>November</u>	, 2020.
Notification published on the	<u>19<sup>th</sup> and 20<sup>th</sup></u>	day of	<u>November</u>	, 2020.
Public Hearing held on the	<u>26<sup>th</sup></u>	day of	<u>November</u>	, 2020.
Public Hearing held on the	<u>11<sup>th</sup></u>	day of	<u>December</u>	, 2020
Ministry of Transportation approval received this	<u>30<sup>th</sup></u>	day of	<u>November</u>	, 2020.
Read a third time this	<u>                    </u>	day of	<u>                    </u>	, 2020.
ADOPTED THIS	<u>                    </u>	day of	<u>                    </u>	, 2020.

(Corporate Seal has been  
affixed to the original bylaw)

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Officer

I hereby certify this to be a true and correct copy of “PRRD Zoning Amendment Bylaw No. 2377 (Cannabis), 2020, as adopted by the Peace River Regional District Board on \_\_\_\_\_, 2020.

\_\_\_\_\_  
Corporate Officer

## SUMMARY OF PROCEDURE

October 22, 2020	Zoning Amendment Bylaw No. 2377 given first two readings
November 19, 2020	Bylaw referred to agencies and municipalities for comment
November 26, 2020	Public Hearing re: Zoning Amendment Bylaw 2377, 2020 (recessed to December 11, 2020 at 10 am)
December 11, 2020	Continuation of Public Hearing



Peace River Regional District (PRRD)  
1981 Alaska Avenue,  
Box 810,  
Dawson Creek, BC V1G 4H8

Attention: Nikita Kheterpal - North Peace Land Use Planner,

The Ministry of Transportation and Infrastructure (Ministry) has received and reviewed your referral dated November 19, 2020 to amend all five PRRD Zoning Bylaws listed below to allow cannabis retail stores and related business use in select commercial zones.

- PRRD Zoning Bylaw 1343, 2001
- PRRD Zoning Bylaw 1000, 1996
- PRRD Zoning bylaw 506, 1986
- PRRD Zoning bylaw 479, 1986
- PRRD Zoning Bylaw 85, 1979

The proposal falls within Section 52 of the Transportation Act and will require formal ministry approval and signature. The Ministry has no objections to the proposal.

Thank you for the opportunity to comment. If you or the proponents have any questions, please contact me at 250-787-3237.

Sincerely,

Raj Chopra

Development Officer



**Agricultural Land Commission**

201 – 4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000 | Fax: 604 660-7033  
[www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

December 10, 2020

Reply to the attention of Sara Huber  
ALC Planning Review: 46752  
Local Government File: BL2377

Nikita Kheterpal  
North Peace Land Use Planner  
[Nikita.Kheterpal@prrd.bc.ca](mailto:Nikita.Kheterpal@prrd.bc.ca)

**Re: Peace River Regional District Zoning Amendment Bylaw No. 2377, 2020**

Thank you for forwarding a draft copy of Peace River Regional District (PRRD) Zoning Amendment Bylaw No. 2377, 2020 (the “Bylaw”) for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaw is consistent with the purposes of the *ALC Act* (ALC Act), the Agricultural Land Reserve (ALR) General Regulation, (the “ALR General Regulation”), the ALR Use Regulation (the “ALR Use Regulation”), and any decisions of the ALC.

The Bylaw proposes to amend all five PRRD Zoning Bylaws (including Electoral Areas B, C, D, and E) to allow cannabis retail stores and related business use in select commercial zones in order to bring the PRRD’s cannabis bylaws in closer alignment with the regulations found in neighboring municipalities. Specifically, the Bylaw:

- Includes definitions for “cannabis”, “cannabis processing facility”, and “cannabis retail store” which are consistent with the federal *Cannabis Act*, or the provincial *Cannabis Control and Licensing Act*; and,
- Permits “cannabis retail store” in the Industrial Commercial 2 Zone (Service-Commercial, Service Industrial) with requirements that the cannabis retail store not be within 200 m of a school or daycare, or 100 m of a park, place of worship, medical clinic, rehabilitation centre, or other cannabis related business.

In the ALR, farm retail sales, including the sale of cannabis, is a permitted use when undertaken in accordance with s. 11(3) of the ALR Use Regulation and cannot be prohibited by a local government. That being said, ALC staff recognize that the ALR is generally not located within the Industrial Commercial 2 Zone (if at all). For this reason, ALC staff do not object to the Bylaw, but note that where the ALR is zoned Industrial Commercial 2 Zone, if applicable, the setbacks may not prohibit the retail sales of cannabis in accordance with s. 11(3) of the ALR Use Regulation.

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The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any Orders of the Commission.

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-3258 or by e-mail ([Sara.Huber@gov.bc.ca](mailto:Sara.Huber@gov.bc.ca)).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to be 'SH' with a stylized flourish.

Sara Huber, Regional Planner

Enclosure: Referral of PRRD BL2377

CC: Ministry of Agriculture – Attention: Lori Vickers

46752m1

## **WRITTEN COMMENTS FROM THE PUBLIC**

Notice of the Public Hearing regarding Zoning Amendment Bylaw No. 2377 (Cannabis), 2020 was advertised on the Peace River Regional District website, and in all local newspapers, on November 12<sup>th</sup>, 13<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup>, as per the *Local Government Act*.

At the November 26 public hearing, the public was notified that the public hearing was extended to Friday, December 11, 2020 to provide additional time for submission of written comments on the proposal.

As of the date of publication of the agenda for this public hearing, (Friday, December 4, 2020) no written comments from the public had been received.

Any public comments received by the PRRD between the agenda publication date and the public hearing, will be provided to the Board during the public hearing, read aloud for the benefit of the listening audience, and appended to the agenda following the meeting.

Sierra North Enterprises Ltd  
O/A Charlie Lake General Store  
12677 Charlie Lake Frontage Road  
Charlie Lake, BC V0C 1H0

Peace River Regional District  
9505 100th Street  
Fort St. John, BC V1J 4N4



To whom it may concern;

Please accept this letter for consideration and discussion related to the proposal to repeal the Peace River Regional District Zoning Amendment Bylaw No. 2316, 2018 and replace it with the Peace River Regional District Zoning Amendment Bylaw No. 2377, 2020.

The proposed Amendment Bylaw No. 2377 has a number of definitions including:

Where permitted, cannabis retail stores may not be located on properties within:

- i. 200 metres from a parcel containing a school or day care; and
- ii. 100 metres from any parcel containing a park, place of worship, medical clinic, rehabilitation centre, or other cannabis-related business

It is our intention to request further amend to the proposed bylaw amendment to remove the requirement to be more than 100m from a place of worship. The proposed restrictions will, in fact, prohibit the ability to operate a retail cannabis establishment in the Charlie Lake Community. We have been working with the bylaw officer, the environmental team and the North Peace Land Use Planner to explore possible locations. We have found almost all of the C2 zoned properties that conform to these restrictions are already occupied by either farm or industrial equipment shops; the only other possible location could be at the strip mall along the Alaska Highway. Unfortunately, the owner of the building is not open to exploring this opportunity. All other C2 zoned parcels within the Charlie Lake community are either within 200m of the school or within 100m of a park or place of worship. In essence, the bylaws you plan to introduce for the regulation of cannabis retail establishments in the PRRD will restrict and prohibit the ability to operate a retail cannabis establishment in any reasonable C2 zone site within the Charlie Lake community.

The City of Fort St. John and the City of Dawson Creek have both limited the proximity restrictions only to school or college and to parks; neither municipality have any restrictions to proximity of a place of worship. We are hopeful that the Peace River Regional District will enable the same allowance.

The lot at 12687 Charlie Lake Frontage Road is our proposed site to open a retail cannabis store. It's close proximity to Charlie Lake General Store is the ideal setting and will allow us the protection of a well known and heavy trafficked business. The store is an established business with a fully operational security system that includes multiple cameras inside and out. The store is open from 5:30am to 11:00pm daily and always has a minimum of 6 staff on site during those times. The Charlie Lake General Store has been a part of the Charlie Lake community since 1977. The store has always done it's best to supply the essentials and beyond to keep our residents from having to travel outside of the community whenever possible. In the last two years we have completely reimagined the store to be a one-stop-shop for grocery, fuel, liquor and take-out.

We want to ensure that the expansion to Charlie Lake is executed with a well-developed retail platform that will allow customers to interact with knowledgeable staff and provide them with a safe and responsible experience. We own and operate 4 retail liquor stores; we know how to train and manage staff to navigate safely and responsibly in a high-risk market that requires diligence in ensuring our customers are neither under age or over served. This is our business and we do it well. Having a retail cannabis store located in Charlie Lake would further reduce the need to travel outside of the community. This store would create 6 – 8 new jobs adding to the 20-person staff we currently employ at the Charlie Lake General Store; the majority of which reside in Charlie Lake themselves.

We are currently in negotiations to purchase the parcel at 12687 Charlie Lake Frontage Road. We plan to subdivide as required to conform to the Peace River Regional District bylaw regulations. This opportunity may not be possible under the current restrictions noted in the proposed Bylaw 2377. That being said, the lot in question is only meters away, in either direction, from adhering to the proposed bylaw compliance.

The Peace River Regional District has always had the safety of its residence in the forefront; this is another positive point to our proposed location. Our experience in the retail liquor industry has shown us that isolated areas are more prone to robbery and other undesirable behaviors. A well populated commercial district provides a safer environment; safer for employees, customers and the community in general.

The motivation to repeal the existing bylaw is well received and supported; however, further amendments are required in order to be a functioning guidance. We want to ensure you that we are responsible owners that are ready to take on this opportunity with the care and responsibility a project of this nature requires. We are a part of the community and want to add further value – not degrade it in any way. We have no plans to display any distasteful signage or advertising. A market for cannabis sales already exists; we just want the opportunity to service it locally. We welcome a chance to engage in an open discussion with you about any concerns you may have and how we plan to ensure this is a successful enterprise for the community and our business growth.

Kind Regards,

John Hynes