



Agricultural Land Commission

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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

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.

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).

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

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