



**To: Port Alberni Advisory Planning Commission**

Ken McRae (Chair)	Chief Councillor Cynthia Dick (Tseshah First Nation)
John Douglas (Vice-Chair)	Chris Washington - (SD #70)
Amy Anaka	Sgt. Clive Seabrook, (R.C.M.P. Liaison)
Jim Tatoosh (Hupacasath First Nation)	Rick Newberry (P.A.F.D. Liaison)
Stefanie Weber	Rob Gaudreault (Parks Liaison)
Callan Noye	Councillor Deb Haggard (Council Liaison)
Ed Francoeur	

From: Katelyn McDougall, Manager of Planning

Copy: Councillor Helen Poon - (Alternate - Council Liaison)  
Larry Ransom - (Alternate - School District #70)  
Sgt. Peter Dione – (Alternate – R.C.M.P. Liaison)  
Steven Tatoosh (Alternate – Hupacasath First Nation)  
Darren Mead-Miller (Alternate – Tseshah First Nation)  
Cara Foden – Planning Technician  
Clerks: Davina Hartwell, City Clerk; Tanis Feltrin/Sara Darling

Date: April 23, 2020

Re: Advisory Planning Commission Meeting  
**Thursday, April 30, 2020 at 12:00 pm (via remote access)**

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A meeting of the Advisory Planning Commission has been scheduled for **Thursday, April 30, 2020** at 12:00 pm via Zoom. Please see email notification for details regarding meeting access.

If you have questions or are unable to attend please contact Katelyn McDougall at 250-720-2808 or Cara Foden at 250.720.2850 (or via email to [cara\\_foden@portalberni.ca](mailto:cara_foden@portalberni.ca)).

**AGENDA**

- 1. Acknowledgements** - This APC meeting is being held within the un-ceded traditional territories of the Hupacasath and the Tseshah (č̓ išaaʔath̓) First Nations
- 2. Minutes** of the April 9, 2020 meeting of the Advisory Planning Commission.
- 3. DEVELOPMENT APPLICATION:** Official Community Plan and Zoning Bylaw amendments  
**2170 Mallory Drive**  
*Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409)*  
**Applicant:** M. Sutherland as agent for Mansett Family Holdings Inc.
- 4. DEVELOPMENT APPLICATION:** Official Community Plan and Zoning Bylaw amendments  
*City Wide amendments respecting Cannabis Cultivation/Production and Processing*  
**Applicant:** City of Port Alberni

5. **Update on Current Projects** – Manager of Planning
6. **Other business**
7. **Adjournment** - The next APC meeting is scheduled for **May 21, 2020**.



**Summary Report / Minutes of the Advisory Planning Commission Meeting  
(Held on April 9, 2020  
Via remote access through Zoom, at 12:00 p.m.)**

**Commission Members Present**

Ken McRae (Chair)  
John Douglas (Vice-Chair)  
Amy Anaka  
Callan Noye  
Stefanie Weber  
Ed Francoeur  
Jim Tatoosh, Hupačasath F.N.  
Sgt. Clive Seabrook, R.C.M.P. Liaison  
Rick Newberry, P.A.F.D. Liaison  
Councillor Deb Haggard (Council Liaison)

**Guests**

Members of the Public: None  
Phil and Sarina Koch - Applicants  
Dan Goddard - Applicant

**Staff**

Katelyn McDougall, Manager of Planning  
Cara Foden, Planning Technician

**Regrets**

Cynthia Dick, Tseshah (č išaa?ath) F.N.  
Chris Washington, S.D.70 Liaison

**Alternates (not in attendance)**

Larry Ransom (Alternate–SD70)  
Rob Gaudreault, Parks Liaison  
Councillor Helen Poon (Alternate–Council)  
Peter Dione (Alternate–R.C.M.P.)  
Darren Mead-Miller (Alternate – Tseshah F.N.)



1. **Acknowledgements and Introductions** – Acknowledgement, by the Chair, that this APC meeting is being held within the un-ceded, traditional territories of the Hupačasath and the Tseshah (č išaa?ath) First Nations.
2. **MINUTES - Adoption of February 20, 2020 Minutes**

**Motion:**

*That the City of Port Alberni Advisory Planning Commission adopt the minutes of the February 20, 2020 regular meeting as amended to include Councilor Deb Haggard as present at that meeting.*

**(Francoeur / Tatoosh) CARRIED**

3. **DEVELOPMENT APPLICATION:** Official Community Plan and Zoning Bylaw amendments  
**5269 Pineo Road**

*Lot C, District Lot 11, Alberni District, Plan VIP59655 (PID: 018-933-891)*

**Applicant:** K. Murphy

- The Manager of Planning summarized the report to the APC dated April 3, 2020.
- The APC discussed the application as follows:
  - The desirability of smaller, infill housing within the urban environment. The applicant indicated that the proposed dwelling would be 700 ft<sup>2</sup> plus carport and would not be visible from Pineo Rd. or from Forrest Rd.
  - Location of the property within the floodplain and lack of a bylaw that is specifically geared to mitigating the effects of a tsunami event.

- There was discussion regarding the pending Official Community Plan update project. There is a desire to support Carriage/Laneway homes and Secondary Suites and Councilor Haggard asked the Manager of Planning for comment on the process, specifically whether it made sense to proceed with introducing bylaws for Carriage/Laneway homes in advance of the OCP review process. The Manager of Planning explained that it would be prudent to proceed with Carriage/Laneway home bylaws as the OCP will be a longer process, and it sounds as if there is a lot of community and political support for Laneway homes now. She supports this application as appropriate at this time and is optimistic that the application will be in harmony with an updated Zoning Bylaw and OCP. Councilor Haggard indicated support for the application.
- It was noted that the long term implications of zoning the property as multi-family residential might be negative in that neighbourhood if the property were to be redeveloped as multi-family housing in the future.
- It was suggested that a Covenant restricting further multi-family development on the property would be appropriate.
- The Manager of Planning explained that by using a Restrictive Covenant the City would retain the ability to require a geotechnical assessment prior or other conditions in order to remove the covenant before allowing redevelopment of the property in the future.
- It was agreed by the APC that an amendment to the motions recommended by the Manager of Planning would be appropriate and that Item 2b could be included to state that; *“That a Covenant be registered on the property to restrict development of the property to no more than one additional dwelling, in addition to the principal dwelling, and that the additional dwelling must not exceed 700 ft<sup>2</sup>.*
- The applicant did not object to the recommendations and thanked the APC for the work they do and for their consideration of the application.

**Motions:**

1. *That the Advisory Planning Commission recommends to City Council that the City proceed with the following bylaw amendments, with respect to the property legally described as Lot C, District Lot 11, Alberni District, Plan VIP59655 (PID: 018-933-891) and located at **5269 Pineo Road**:*
  - a) *Amend the Official Community Plan (Schedule A – Land Use Map) to change the designation of the property from ‘Residential’ to ‘**Multiple Family Residential**’ use; and*
  - b) *Amend the Official Community Plan (Schedule B – Development Permit Areas Map) to include the property in ‘**Development Permit Area No. 1 Multi-Family Residential**’; and*
  - c) *Amend the Zoning Bylaw (Schedule A – Zoning Map) to rezone the property from ‘RR2 Semi Rural Residential’ zone to ‘**RM2 Medium Density Multiple Family Residential**’ zone.*

2. *That the Advisory Planning Commission recommends to City Council that as part of the development process, and prior to Final Adoption of the amending bylaws, the applicant be required to provide the following:*
  - a) *Provide security for the required water, sewer and storm connections.*
  - b) *That a Covenant be registered on the property to restrict development of the property to no more than one additional dwelling, in addition to the principal dwelling, and that the additional dwelling must not exceed 700 ft<sup>2</sup>.*
3. *That the Advisory Planning Commission recommends to City Council that they direct staff to develop regulations and bylaw amendments that would permit laneway housing in certain residential zones.*

**(Douglas / Francoeur ) CARRIED**

**4. DEVELOPMENT APPLICATION - Development Variance Permit  
3033 6th Avenue**

*Lot 9, Block 124, District Lot 1, Alberni District, Plan 197B (PID: 009-253-742)*

**Applicant:** D. Simmons for P. and S. Koch

- The Manager of Planning summarized the report to the APC dated April 4, 2020.
- E. Francoeur, seconded by J. Douglas, motioned to support the recommendations of the Manager of Planning to open the discussion.
- The APC discussed the application as follows:
  - The Manager of Planning clarified changes in the way the City is processing Development Variance applications and indicated that notice would be given to the neighbourhood prior to the consideration, by Council, of the proposed Variance.
  - The proposed height of the new accessory building was discussed and it was suggested by the APC that the height variance being requested was quite significant and seems inappropriate for the neighbourhood.
  - The APC noted that the plans submitted by the applicant indicated that the floor area exceeded the 75m<sup>2</sup> that was permissible for an accessory building. The proposed building is ~103 m<sup>2</sup> (~1106 ft<sup>2</sup>). The applicant was asked to clarify the scope of the project.
  - The applicant indicated that the building would allow for a two car garage on the lower level and the upper level would be used for storage and was not intended for housing. The application and report indicated the building would house a recreational studio on the upper level.
  - There was discussion about the future of laneway and carriage homes and it was noted that when the city is considering these types of housing they should be considering building heights with respect to their context in the community and neighbourhoods.

- The applicants clarified that the proposed building did indeed exceed the permitted floor space for an accessory building and the APC discussed whether or not to amend the motions to vary the floor area in addition to the height. It was noted that Council should be aware that they were being asked to consider the size of the building as it exceeds the allowable floor area. It was noted that density cannot be varied and that the density (floor area ratio) would need to be verified.
- The APC indicated that it would be appropriate to ask the applicant to resubmit the application. The Manager of Planning noted that it would be preferable not to proceed at this time and that she would like to meet further with the applicants to discuss their application and options.
- APC concurred with the Manager of Planning with respect to the need for more clarity regarding the size of the building, floor space and density.
- E. Francoeur withdrew his motion to support the recommendations of the Manager of Planning.
- The APC agreed that they did not support the motions as presented.

**Motions as Presented:**

**1. That the City of Port Alberni Advisory Planning Commission recommends to City Council that the City proceed with the necessary Development Variance Permit to vary Zoning Bylaw #4832 as follows:**

- a) *Vary Section 6.10.5 Accessory Buildings, Height of Accessory Building from 5.5 m (18 ft) to 8.3 m (27 ft), a variance of 2.8 m (9 ft), on Lot 9 Block 124, District Lot 1, Alberni District, Plan 197B, PID: 009-253-742 (3033 6<sup>th</sup> Avenue).*
- b) *Vary Section 6.10.5 Accessory Buildings, Number of Accessory Building Storeys from 1 to 2, a variance of 1 storey, on Lot 9 Block 124, District Lot 1, Alberni District, Plan 197B, PID: 009-253-742 (3033 6<sup>th</sup> Avenue).*

**(Francoeur / Douglas ) The motions were DISCUSSED, WITHDRAWN / DENIED**

**5. UPDATE:**

The Manager of Planning provided a verbal update on the following items:

- Current operations during COVID19 pandemic
- Continuing to receive applications
- Beautification of 3rd Ave – project on hold
- Housing Needs Assessment – Requesting project extension

Upcoming agenda items will include:

- Rezoning Application – 2170 Mallory Drive
- Cannabis Cultivation Bylaw and Policy Changes

**6. OTHER BUSINESS**

- None at this time.

**7. ADJOURNMENT** – The meeting adjourned at 1:30 p.m. The next meeting is scheduled for 12:00 pm on **April 30, 2020**.

**(Tatoosh / McRae ) CARRIED**



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Ken McRae (Chair)



# CITY OF PORT ALBERNI

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## PLANNING DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

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TO: Advisory Planning Commission

FROM: Katelyn McDougall, Manager of Planning

DATE: April 23, 2020

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**SUBJECT: DEVELOPMENT APPLICATION – Proposed Official Community Plan bylaw and Zoning Bylaw Amendments  
2170 Mallory Drive  
Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409)  
Applicant: M. Sutherland as Agent for Mansett Family Holdings Inc.**

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### **ISSUE**

The issue for consideration is a joint application for map amendments to the Official Community Plan (OCP) and for map and text amendments to the Zoning Bylaw for the property located at 2170 Mallory Drive. The applicant is currently looking for a new tenant and is seeking to increase the industrial potential of the property.

### **BACKGROUND**

The subject property is located on Mallory Drive at the City of Port Alberni's southern boundary. This boundary is shared with the Tseshaht First Nation (IR #2 *Teepis*). The irregular shaped lot is 1.081 hectares (2.67 acres) in size, and is currently designated as P1 – Institutional in the Zoning Bylaw and the current OCP land use designation is Residential. The property is not currently located within a Development Permit Area.

The building and property were previously owned and occupied by the Teleglobe Utility, and has historically been used for a variety of commercial, institutional or industrial purposes including a mechanic and engine repair shop. The property is currently without sanitary sewer services, and a restrictive covenant on title prohibits new building until this is provided (the covenant is in favor of the City of Port Alberni). A small portion of the western edge of the property is within the Tsunami Zone.

In January of 2018, City Council approved a site-specific text amendment to the Zoning Bylaw to permit some light industrial/commercial uses on the property for what the applicant indicated to be a temporary basis. The applicant had requested to maintain the existing zone and OCP classification, as their long-term vision for the property was to develop seniors' housing on the site. The City considered at that time that seniors' housing at this location would be challenging due to distance from transit and the physical distance to amenities and services. Additionally,



these uses would require significant service upgrades and road improvements. The City considered the potential to reclassify the property from Residential to Industrial in the Official Community Plan, but that action was not taken at the time.

The owner's vision for the site has since changed. The applicant is currently looking for a new tenant, and has requested the rezoning to maximize the industrial potential of the property. The owner is currently working with a number of potential businesses interested in leasing the property and therefore a specific use has not yet been identified for the property. The applicant has indicated that the current building on the property is only suitable for industrial purposes. One possible tenant being considered is a cannabis processing facility, although the applicant is aware that cannabis cultivation is not yet a permitted use within the city.

The applicant has proposed the following OCP and Zoning Bylaw amendments to the for the property located at 2170 Mallory Drive:

#### Official Community Plan (OCP) and Zoning Bylaw designations

1. The subject property, is currently designated '**Residential**' on the Official Community Plan Schedule A – Land Use Map. An amendment is requested to change the designation to '**Industrial**'
2. The property is not within a Development Permit Area on the Schedule B – Development Permit Areas Map. An amendment is required to include the property in **Development Permit Area No. 3 Industrial**.
3. The subject property, is currently zoned '**P1 Institutional**' on the Zoning Bylaw Schedule A – Zoning Map. An amendment is requested to rezone a portion of the subject property to '**M1 Light Industry**' zone.
4. A text amendment to the Zoning Bylaw is required to amend the P1 Institutional zone Section 5.31.4 Site Specific uses table by removing the following text specific to the property:
 

*"Site – **2170 Mallory Drive** – Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409)*

  - i. *Notwithstanding Section 5.31.1 the following Principle Uses are permitted on the site:*
    - a) *Small Engine Repair*
    - b) *Mechanic*
    - c) *Custom Woodworking*
  - ii. *The following conditions apply to uses listed in 5.31.4 Di:*

*All business activity shall be conducted within a completely enclosed building except for parking and loading facilities."*

## **DISCUSSION**

### Official Community Plan Policy

The OCP sets the policy direction for the City regarding the designation and regulation of industrial lands. Relevant provisions are discussed below. The land use categories established in the OCP are intended to guide community development; however, the OCP is also considered to be a "living document" and Council may consider OCP amendments that respond to changing circumstances within the City.

In Section C - Plan Goals and Land Use Objectives, item 1.3 Industrial Development states the following goals:

*“To encourage diversification and promote development of the industrial sector in order to achieve a more stable employment and economic base.”*

*“To ensure the City provides a positive environment for industry and associated businesses.”*

The proposal supports this objective by continuing the light industrial use which already exists on the subject property, and by creating potential for additional light industrial uses. These policy objectives are generally supportive of increased industrial use within the community. The General Provisions within the OCP specify that an industrial designation will accommodate the following uses:

*“Lands designated as Industrial (IND) on Schedule “A” (Land Use Map) shall accommodate industrial uses primarily comprised of wholesaling, ware housing, manufacturing and processing, storage facilities, service and repair operations, and salvage operations.”*

While the historic use of the site is consistent with this description of industrial lands in the OCP, the applicant has not committed to a particular use at this time.

General Provisions for industrial land also provide a guideline for the location of new light industrial uses:

*“New light and medium industry shall be encouraged to locate in the Port Alberni Industrial Park”*

The proposal does not support this objective as the subject property is not located within the Port Alberni Industrial Park. Currently all properties zoned M1- Light Industry are located in the Port Alberni Industrial Park or near Roger Street south of the North Port Commercial Area. Zoning the subject property to M1-Light Industry would be a departure from both the OCP and the concentration of light industrial uses to these areas. However, in recent years land for industrial development in Port Alberni has become increasingly scarce. The City and the ACRD are currently developing an Industrial Land Inventory and Action Plan. The Industrial Land Action Plan will compile a full inventory of industrial land in the Alberni Valley, with identification of constraints to making it available for development. The project will include recommendations, such as potential for industrial or light industrial rezoning, the potential for a new industrial park, and action-based strategies to attract industrial development. This project was started in 2018 and therefore is not reflected in the OCP policy from 2007.

Additionally, the OCP states that new industrial lands must be considered in terms of adjacent uses and potential impacts on surrounding lands:

*“Future industrial areas should be located with consideration of the existing and intended uses adjacent and the associated impacts so as to ensure they are context sensitive and harmonize with adjacent land uses. Screening and buffering regulations will be established to mitigate land use impacts.”*

The proposal is compatible with the industrial waterfront lands, however some of the adjacent lands are designated parks and open space, residential, and institutional which might not be perceived as compatible uses. Furthermore, the property is located next to the Tseshaht First

Nation (IR #2 *Teepis*) which contains some semi-rural residential properties. Engagement with the Tseshah First Nation should therefore be made a priority. Tseshah First Nation input should be considered prior to a change in land use designation. If the OCP and Zoning amendments are approved by Council, the property will be located within Development Permit Area No. 3 – Industrial, which will help mitigate some of the impacts of the industrial use by requiring additional screening around the property beyond what is already in place.

### Zoning:

The subject property is zoned P1-Institutional, which is not consistent with the property's 'Residential' land use designation in the OCP. This discrepancy was identified by the City in 2017/2018 during the site-specific amendment process but was never rectified. The proposed development application would reclassify both the OCP designation and zone to be in alignment with one another under an industrial classification.

The current use of the property, as permitted by the previous site-specific use amendment, is consistent with the M1 - Light Industry zone. The proposed M1 zone is intended for light industrial uses such as wholesale, warehouse and light manufacturing. Changing the zoning designation would be both a continuation and an expansion of the permitted industrial use of the site. While this does not represent a significant deviation from the use of the adjacent lands which are zoned M3 - Heavy Industry, it is in contrast with the residential character of the Cameron Heights neighborhood and the adjacent residential dwellings within the Tseshah First Nation (IR #2 *Teepis*).

The dimensions of the subject property meet the minimum lot area requirements for the M1 zone.

### Cannabis Processing and the M1- Light Industry Zone Description

Independent from this application the M1-Light Industry and the Zoning Bylaw is currently under review. Following Council's direction at the November 25, 2019 meeting, staff are working on an amendment to the Zoning Bylaw and OCP to introduce processing of cannabis as a permitted use within the city. Tentative approval has been given by Council directing staff to prepare the following changes:

1. That Standard Cultivation Facilities (anything more than 200m<sup>2</sup> in size) be allowed in the Light Industry (M1), Medium Industry (M2), and Heavy Industry (M3) zones;
2. That Micro-Cultivation Facilities (anything up to 200m<sup>2</sup> in size) be allowed in the Light Industry (M1), Medium Industry (M2), Heavy Industry (M3), Service Commercial (C3), and High Commercial (C4) zones; and,
3. That Cannabis Nursery Facilities (limited to 50m<sup>2</sup> in size) be allowed in the Light Industry (M1), Medium Industry (M2), Heavy Industry (M3), Service Commercial (C3), and Highway Commercial (C4).

Other zoning bylaw regulations and policy to be introduced:

1. That staff propose definitions for the types of Cannabis Facilities that are consistent with Health Canada's definitions;

2. That staff include recommendations for building setbacks, buffer zones, and regulations to help mitigate noise and odor concerns; and,
3. 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.

The owner is currently working with a number of potential businesses interested in leasing the property, and one possible tenant that has expressed interest is a cannabis processing facility. That specific use will only be permitted if and when additional zoning bylaw amendments have been approved by the City. Staff are working to achieve a timeline that ensures these considerations are made harmoniously with the proposed development application.

#### Site Plan

As part of the bylaw amendment process the property will be included in Development Permit Area No. 3 – Industrial. Massing, siting, and form, landscaping, and other factors will be considered to ensure that the development appears to be cohesive and compatible with the proposed OCP and zoning designations and that it will integrate well into existing neighborhood. Development Permit plans will need to include cost estimates for any required landscaping or works and security must be submitted prior to Final Adoption of the bylaws.

#### Surrounding Area

The subject property is situated between waterfront industrial lands to the west, and the Cameron Heights neighborhood to the northeast. The subject property acts as buffer between the heavy industrial uses and the residential properties.

The Cameron Heights neighborhood is characterized by single and two-family residential homes. Directly between the subject property and the residential properties on Mallory Drive is the Neptune Shoreline Observatory. This property is also zoned for institutional uses similar to the subject property.

Directly to the south of the subject property, and across the municipal boundary are multiple semi-rural residential dwellings located within the Tseshah First Nation IR #2 *Teepis*. To the west of the subject property is Canal Beach park, which exists on lands currently zoned for industrial use, but it is also screened from the property by a wooded slope.

#### Infrastructure and Site Servicing

The subject property is connected to the municipal water system, but is not currently serviced by a sanitary sewer connection. The restrictive covenant on title prevents new building on the site until a sewer connection is provided. Since the applicant has not proposed an expansion of the current building, a sewer connection would not be required at this time.

**Sewer:** There is a restrictive covenant registered on the title of the property that prevents any new building on the land until sanitary sewer is provided to the land. The existing footprint of the building is allowed but no addition would be permitted without sanitary sewer.

**Water:** There is a City water connection for the existing building.

Storm: None

Utilities: Overhead private utilities are located along Mallory Drive to the east and Plywood Drive to the west.

The capability of the existing infrastructure will need to be proven out by the developers' engineer, approved by the City Engineering department and security for the works submitted prior to final adoption of the bylaws.

## **REFERRALS**

In reviewing land use OCP and Zoning Bylaw amendments staff request referral comments from various City departments and external agencies. The following table summarized the feedback received for this development application.

<b>Agency/department</b>	<b>Comments</b>
RCMP	No comments received
PARKS Operations	No comments received
PARKS Recreation	Interests unaffected
BUILDING	No comments received
ENGINEERING	<p>Existing building presently not connected to CPA sanitary sewer. Proposed sanitary sewer connection being designed by McGill Engineering. CPA presently reviewing plans to provide cost for Applicant. CPA Crews to install sanitary sewer to P/L on Plywood Dr. as per McGill design once payment has been made by Applicant. Applicant will be responsible to connect to the sanitary connection at P/L as per McGill design.</p> <p>Storm drain can drain into the existing ditch system that runs thru the property.</p> <p>Existing CPA fire hydrant #818 on Applicants property with the building's 50mm water service connected to this hydrant line. CPA will relocate this hydrant onto CPA property on Mallory Dr by Plywood Dr area at Applicants expense.</p> <p>CPA will install a new 50mm water connection on Mallory Dr to the P/L for Applicant to connect to since the existing water line on their property will no longer be active. Applicant to pay for the new 50mm water connection install to P/L and will be responsible for the reconnection on their property.</p>
FIRE	From the road there needs to be a visible address on the main entrance gate and building, as well as ensure there is a turning radius for a fire truck
Hupacasath First Nation	No comments received
Tseshah First Nation	No comments received

FORTIS	No conflict with gas
BC Hydro	BC Hydro already services this property with 3 phase power. Approved
Shaw Cable	No comments received
TELUS	No comments received
CANADA POST	No comments received
ISLAND HEALTH	<p>No concerns with the proposed OCP and Zoning amendments.</p> <p>*In 2017 VIHA provided the following input on the site-specific text amendment to the P1 – Institutional zone:</p> <ul style="list-style-type: none"> <li>• The intent to carry out light industrial activity on a property that was used for industrial/commercial activity in the past is compatible</li> <li>• The mature trees buffer the site and the preservation of this natural environment is important for providing the privacy and barrier for adjacent residential uses</li> <li>• Sewage disposal must comply with regulations</li> <li>• Proposed activities must not contaminate the Port Alberni Water Works system</li> <li>• The site might not be ideal or conducive for future residential development due to potential hazardous materials or site contamination</li> </ul>
A.C.R.D.	No comments received
D.F.O. (Fisheries and Oceans)	If felt that the project proposes works, undertakings or activities that may result in harm to fish or fish habitat, DFO's Projects Near Water website ( <a href="http://www.dfo-mpo.gc.ca/pnwpppe/index-eng.html">http://www.dfo-mpo.gc.ca/pnwpppe/index-eng.html</a> ) includes information for proponents on how to comply with the Fisheries Act, request a DFO review of a project, and request a Fisheries Act authorization
M.O.T.I. (Transp. & Infrastructure)	MoTI has no objections to the proposed amendments as the property is over 4km away from a provincial highway

## **CONCLUSIONS**

The proposal for 2170 Mallory Drive has been brought forward to the APC prior to a Council decision being made. In considering the Zoning amendment, the Advisory Planning Commission and City Council should consider whether the proposed amendment is appropriate for the site and for the community. The APC's recommendation on the proposal will be included in a future Council report to assist Council in their decision on the matter.

The current use of the property does not conform with the Official Community Plan designation. Reclassifying the property to industrial in the OCP and M1- Light Industry in the Zoning Bylaw would harmonize the use and designation of the site, and expand the permitted uses available to potential new tenants. The applicant has mentioned that there is a proponent interested in developing a cannabis cultivation facility on the property, however that use would only be permitted if and when additional regulations are approved by City Council

Staff have identified the following rationale in support of the proposed OCP and Zoning amendments:

- The Industrial designation in the Official Community Plan would be in line with the existing and historic use of the site. The M1 – Light Industrial zone allows for similar uses to the existing use of the subject property.
- The proposed use is consistent with the surrounding properties to the west and north of the subject property.
- The property is screened from nearby residential and public areas by trees and slopes which aligns with the policies in the Official Community Plan.
- The subject property would also become part of the Industrial Development permit area, giving the City input over any redevelopment of the property.
- The subject property meets the lot size requirements for the M1 – Light Industrial zone.
- The site might not be ideal or conducive for future residential development due to potential hazardous materials or site contamination.

However, the proposed amendments to the Official Community Plan Bylaw and Zoning Bylaw may be interpreted as both consistent and inconsistent with adjacent land uses and with current policy regarding the location of light industrial uses. Since the proposal has the potential to impact the surrounding area the City should engage the affected local residents including Tseshah First Nation before Council considers approving the amendments.

### **OPTIONS**

1. Recommend to Council that staff proceed with the proposed amendments to the Official Community Plan Bylaw and Zoning Bylaw, with conditions outlined below;
2. Recommend to Council that staff do not proceed with the proposed amendments to the Official Community Plan Bylaw and Zoning Bylaw;
3. Request that staff gather additional input from the public and Tseshah First Nation before proceeding with a recommendation for Council to consider.

### **RECOMMENDATIONS**

The Manager of Planning recommends Option #1, with the additional conditions outlined below. This approach will allow for the application to continue to be considered, but with additional input from the Tseshah First Nation. Neighboring residents will be invited to provide their input at the public hearing.

1. *That the Advisory Planning Commission recommends to City Council that the City proceed with the following bylaw amendments, with respect to Lot 1, District Lot 1, Alberni District, Plan VIP77152 (PID: 025-965-409) located at **2170 Mallory Drive**:*
  - a. *Amend the Official Community Plan (Schedule A – Land Use Map) to change the designation of the property from ‘Residential’ to ‘Industrial’ use; and*
  - b. *Amend the Official Community Plan (Schedule B – Development Permit Areas Map) to include the property in ‘Development Permit Area No. 3 Industrial’; and*

- c. Amend the Zoning Bylaw (Schedule A – Zoning Map) to rezone the property from ‘P1 Institutional’ zone to ‘**M1 Light Industry**’ zone.
- d. Amend the text of the Zoning Bylaw by deleting the following text from Section 5.31.4 D. Site Specific uses table (in the P1 Institutional zone ):

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**“5.31.4 D.**

Site – **2170 Mallory Drive** – Lot 1, District Lot 1, Alberni District, Plan VIP77152  
(PID: 025-965-409)

- i. Notwithstanding Section 5.31.1 the following Principle Uses are permitted on the site:
- a) Small Engine Repair
  - b) Mechanic
  - c) Custom Woodworking
- ii. The following conditions apply to uses listed in 5.31.4 Di:

*All business activity shall be conducted within a completely enclosed building except for parking and loading facilities.”*

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2. That the Advisory Planning Commission recommends to City Council that in addition to the required public hearing that Council direct staff to engage with Tseshah First Nation regarding the amendments to the Official Community Plan and Zoning Bylaw.
3. That the Advisory Planning Commission recommends to City Council that as part of the development process the applicant be required to complete the following before Council proceeds with scheduling a public hearing:
  - a. Submit a site plan and plans, acceptable to the Manager of Planning, in support of a Development Permit and submit cost estimates for the works and security in the amount required.
  - b. Post visible civic address on main entrance gate and building (to be visible from road) in accordance the City of Port Alberni House Numbering bylaw.
  - c. Ensure there is a viable turning radius for Fire Truck access and egress acceptable to the City’s Director of Engineering and Public Works.
  - d. Submit security in the amount required for completion of the required Water and Sanitary Sewer and Storm works as determined by the City’s Engineering Department.
  - e. Submit security in the amount required for relocation of the existing hydrant as determined by the City’s Engineering Department.



Respectfully submitted,

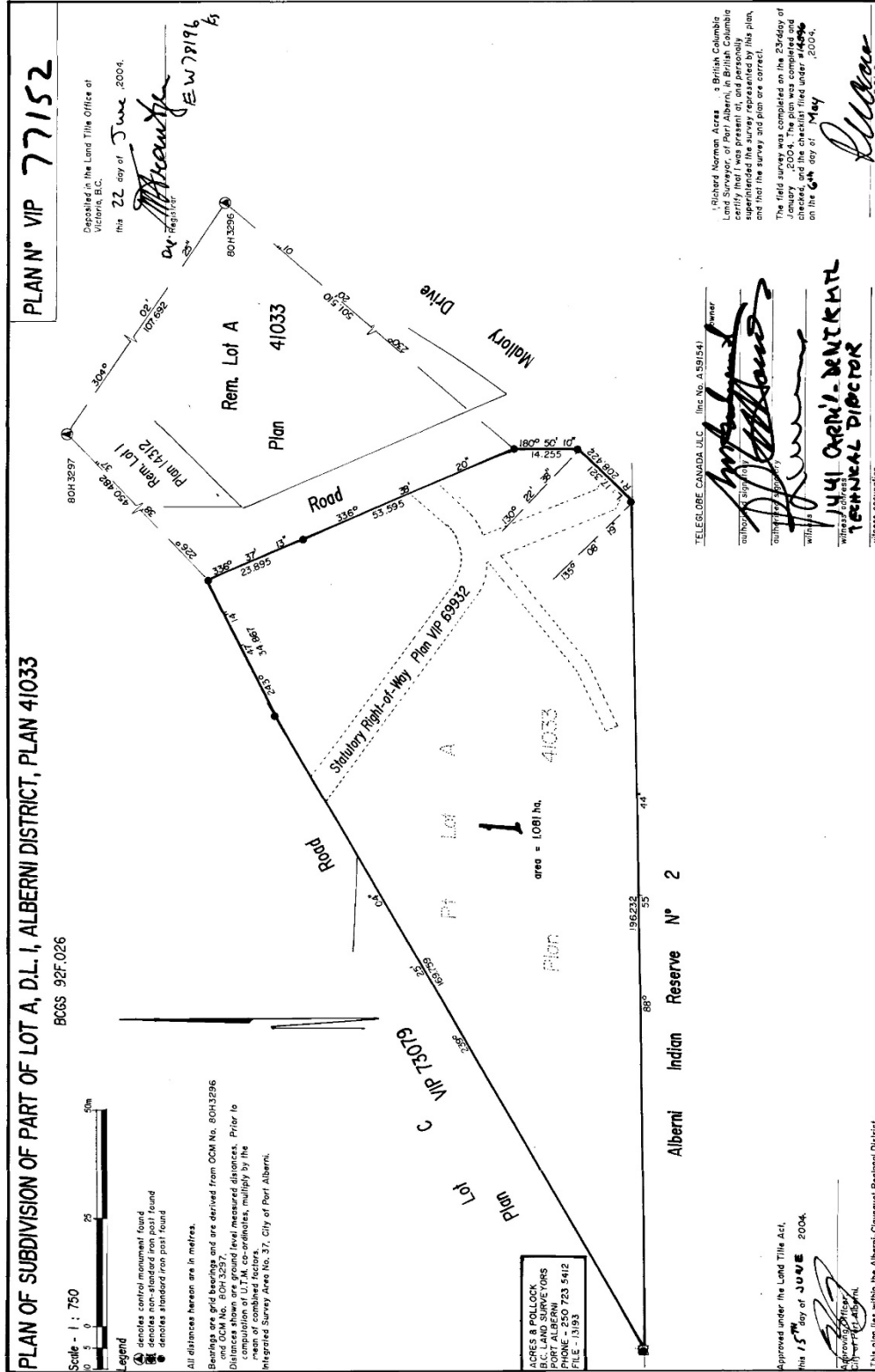
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Katelyn McDougall, M.Urb  
Manager of Planning

SUBJECT PROPERTY – 2270 MALLORY DRIVE



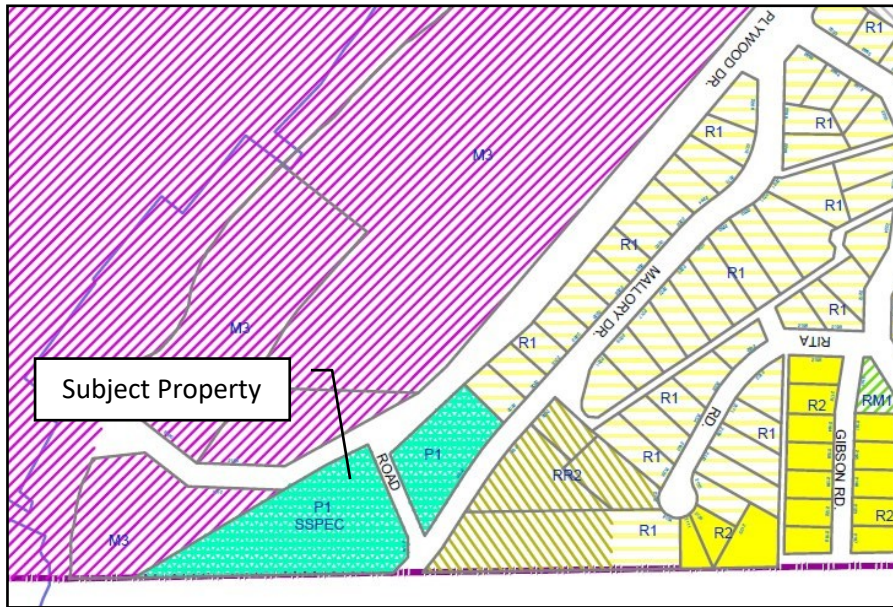
PROPERTY:



FILED VVIP77152 P42702 2005-01-27-13-52-58-323762



*Zoning Bylaw Map – Schedule A*



*OCP Land Use Map*



## CURRENT ZONE:

***P1 – INSTITUTIONAL***

5.31 The purpose of this zone is to establish and maintain areas in which institutional uses can be accommodated and located in a manner complementary with surrounding uses.

5.31.1 Permitted usesPrincipal Uses

Ambulance station

Arena

Assembly, cultural or recreational facility

Childcare centre

Community care facility

Dormitory

Firehall

Hospital

Hostel

Medical service

Office

Parking lot

Personal service

Place of worship

Police station

Pound

School

Supportive housing

Transition house

Tutoring service

Accessory Uses

Caretaker's dwelling unit, subject to Section 6.16

Site Specific Accessory Uses as permitted under Section 5.31.4.

5.31.2 Site Development Regulations

Minimum Lot Area	540 m <sup>2</sup>	(5813 ft <sup>2</sup> )
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Minimum Frontage	15 m	(49.2 ft)
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Maximum Coverage	40%	
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## Minimum Setbacks:

Front yard	7.5 m	(24.6 ft)
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Rear yard	9 m	(29.5 ft)
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Side yard	1.5 m	(4.9 ft)
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Maximum Height, Principal Building	12.5 m	(41 ft)
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Maximum Number of Principal Building Storeys	3	
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5.31.3 Conditions of Use

(a) Notwithstanding the provisions of 5.31.2, the total of both side yards must be equal or greater than 20% of the lot width.

- (b) *Community care facilities for seniors may include an accessory beauty shop or other provision of other personal services, limited to 16m<sup>2</sup> (172 ft<sup>2</sup>) in floor area and 2 service chairs, operating between the hours of 8:30 am to 5:00 pm, Monday to Friday and 9:00 am to 12:00 pm on Saturday.*

#### 5.31.4 Site Specific

##### A.

The following *Accessory Uses* are permitted on the property located at 5100 Tebo Avenue (Lot 1, District Lot 13, Alberni District, Plan VIP78180 (PID: 001-346-377)):

- Artist's studio
  - Cabinet making
  - Custom woodworking
  - Furniture repair and upholstery
  - Ornamental metal working
  - Printing, publishing and allied industry
  - Signs and displays industry
  - Small repair shop
- i. The following conditions apply to *Accessory Uses* listed in 5.31.4.A:
- a) All business activity shall be conducted within a completely enclosed building except for parking and loading facilities.
  - b) The total area occupied shall not exceed 1077 m<sup>2</sup> (11,592 ft<sup>2</sup>).
  - c) No retail activity is permitted as part of any business located on the property.

##### B.

Site - 4411 Wallace Street - Lot B, District Lot 1, Alberni District, Plan 32448 VIP78180 (PID: 000-154-130)

- i. Notwithstanding the maximum coverage provisions of Section 5.31.2, for the property known as Fir Park Village, a maximum coverage of 58% is permitted.

##### C. (Bylaw 4879)

Site - 4065 6th Avenue - Lot 16, District Lot 1, Alberni District, Plan 13685 lying to the North of a boundary parallel to and perpendicularly distant 150 feet from the Northerly boundary of said Lot 16 (PID: 004-625-919)

- i. The following accessory use is permitted:
- Restaurant
- ii. The following conditions apply to *Accessory Uses* listed in 5.31.4.Ci:
- a) All business activity shall be conducted within a completely enclosed building except for parking and loading facilities.
  - b) The total area occupied shall not exceed 481 m<sup>2</sup> (5180 ft<sup>2</sup>).

##### D.

Site – 2170 Mallory Drive – Lot 1, District Lot 1, Alberni District, Plan VIP77152  
(PID: 025-965-409)

- i. Notwithstanding Section 5.31.1 the following Principle Uses are permitted on the site:
  - a) Small Engine Repair
  - b) Mechanic
  - c) Custom Woodworking

- ii. The following conditions apply to uses listed in 5.31.4 Di:  
All business activity shall be conducted within a completely enclosed building except for parking and loading facilities.

PROPOSED ZONE:

Bylaw 4832

**M1 – LIGHT INDUSTRY**

5.27 The purpose of this zone is to establish and maintain areas containing light industrial uses, such as wholesale, warehouse and light *manufacturing* operations.

5.27.1 Permitted uses

Principal Uses

- Automotive sales, repair and servicing*
- Boat or recreational vehicle sales and repair*
- Building supply*
- Cartage and delivery service*
- Contractor’s shop*
- Custom workshop*
- Electronics repair*
- Enclosed storage and warehousing, including mini storage*
- Exterminating service*
- Food and beverage processing (excluding the fish, meat and poultry products industries)*
- Furniture and fixture manufacturing*
- Garden shop, nursery and landscape supplies*
- Gasoline service station*
- Glass shop*
- Health and fitness centre*
- Machine shop*
- Machinery and equipment sales, rental and repair*
- Other light manufacturing industry*
- Petroleum products, wholesale*
- Prefabricated buildings sales*
- Printing, publishing and allied industry*
- Recycling depot*

Principal Uses (continued)

- Signs and displays industry*
- Storage yard*
- Transportation dispatch and depot*
- Veterinary clinic*
- Wholesale (excluding wholesalers of scrap and waste materials)*
- Works yard*

Accessory Uses

- Caretaker’s dwelling unit, subject to Section 6.16*
- Display, storage, and retail sales of goods produced on the premises*
- Office*

Site-Specific Uses

- Medical Marihuana Facility*

5.27.2 Site Development Regulations

Minimum Lot Area	930 m <sup>2</sup>	(10,011 ft <sup>2</sup> )
Minimum Frontage	30 m	(98.4 ft)
Maximum Coverage	50%	
Minimum Setbacks:		
Front yard	6 m	(19.7 ft)



	Bylaw 4832	
<i>Rear yard</i>	3 m	(9.8 ft)
<i>Side yard (total)</i>	6 m	(19.7 ft)
(Permitted on one side)	0 m	
Maximum Height, Principal <i>Building</i>	12.5 m	(41 ft)
Maximum Number of Principal <i>Building Storeys</i>	3	

5.27.3 Conditions of Use

- (a) Nothing shall be done which is or will become an annoyance or nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluent, dust, fumes, smoke, vibration, noise or glare; nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion.
- (b) All portions of a required *front yard* not used for permitted parking or display areas shall be fully and suitably *landscaped* and properly maintained.
- (c) Outdoor storage areas shall be screened or *fenced* on all sides not facing the principal *building* and no material shall be piled so as to be higher than such *screening*. Required front *screening* shall be situated so as to conform with the *front yard setback* provisions.
- (d) All activities and *uses* shall be conducted within a completely enclosed *building* except for parking, loading, outside storage and product display *uses*.
- (e) Along any *lot* line adjacent to an R, RR, or RM *zone*, a continuous *landscape buffer*, excluding any areas used for access, shall be provided and shall be not less than 1.8 m (5.9 ft) in height.

5.27.4 Site Specific Uses

The following *uses* shall be permitted on a site specific basis:

<u>Use</u>	<u>Site Address</u>	<u>Site Legal Description</u>
Medical Marihuana Facility	4921 Bute St.	Lot A, District Lot 1, Alberni District, Plan VIP31847



# CITY OF PORT ALBERNI

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## PLANNING DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

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TO: Advisory Planning Commission

FROM: Katelyn McDougall, Manager of Planning

DATE: April 24, 2020

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**SUBJECT: Cannabis Production Facilities - OCP and Zoning Bylaw Amendments**

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### **ISSUE**

At issue is the consideration of changes to the City's Official Community Plan and Zoning Bylaw (*Bylaw 4832*) to introduce Cannabis Production Facilities (cannabis cultivation and processing) as a permitted use within city limits. The Advisory Planning Commission and Council have previously given high-level input and direction on how to introduce these uses, and the following report outlines the next step in implementing that direction.

The proposed amendments would introduce new definitions, identify specific zones, and provide other regulations and policy direction for cannabis cultivation and processing uses.

### **BACKGROUND**

Cannabis production and cultivation are now legal with a license from Health Canada, and industry proponents have been looking to the Alberni Valley for a place to start up new ventures. The legalization of the recreational use of cannabis may create economic opportunities for any community looking to diversify their economy. In early 2019 the City of Port Alberni began permitting cannabis retail stores in certain commercial zones (C2, C3, C4, and C5). Later in 2019 staff were tasked with identifying appropriate zoning for the production of cannabis.

### **Public Engagement**

Through a three-month online and in-person engagement process staff heard from many Port Alberni residents and visitors. Most people who attended events in-person seemed indifferent about cannabis cultivation. A small number of individuals were completely opposed to the legalization of cannabis and were thus opposed to any municipal zoning related to cannabis. The overwhelming majority of people who were engaged in the process supported cannabis cultivation within city limits, and did not have issue with the industry as long as it was managed and regulated effectively.

The engagement process helped identify key concerns about Cannabis Production Facilities, and these were typically regarding odor, air quality, and waste management. Some individuals who participated in the consultation process expressed opposition to specific production facilities that were proposed to be located in the regional district, but did not clearly provide input on how to regulate the activity within city limits.

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## Recommendations

At the conclusion of the public engagement process, staff developed recommendations that were brought to the Advisory Planning Commission and City Council for further input and direction. The recommendations incorporated public input and considered practices demonstrated in other communities.

The approach proposed by staff was to permit cannabis cultivation in industrial zones, agricultural zones, and limited commercial zones based on the scale and type (indoor or outdoor) of facility. Staff also proposed the use of setbacks, buffer zones, development permit areas, and other regulations to help mitigate the public's concerns. It is also important to note that all licensed facilities will be held to strict federal standards with regards to air quality, odor, etc.

## APC Input and Council Direction

At the time, the Advisory Planning Commission supported the approach that was proposed by staff. Only minor revisions were recommended by Council at the time. Council asked that staff remove land zoned A1 – Agriculture from the recommendations, and to not permit any outdoor facilities within the city. It is important to note here that the BC Agricultural Land Commission (ALC) has decided that cannabis production is an acceptable farm use on land protected within the Agricultural Land Reserve (ALR) as long as it is done in a way that protects the land's productive capacity. Therefore, any the City is unable to prohibit cannabis production in the ALR as long as it meets the ALC's requirements.

In summary, the following direction was given by Council in support of staff developing OCP and Zoning Bylaw amendments that would permit cannabis cultivation within the city:

### 1. Regarding indoor facilities:

- a. That Standard Cultivation<sup>1</sup> Facilities (anything more than 200m<sup>2</sup> 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 200m<sup>2</sup> 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 50m<sup>2</sup> 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), and Highway Commercial (C4).

### 2. Those regarding other zoning bylaw regulations:

- a. That staff propose definitions for the types of Cannabis Production 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.

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<sup>1</sup> While this direction only references "cultivation" in the text, the intent behind the direction was to introduce both "cultivation" and "processing" uses.

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## **ZONING BYLAW AMENDMENTS**

As per Council's direction, staff propose adding the following text to the Zoning Bylaw.

### **DEFINITIONS**

Under **Section 4 Definitions of the Zoning Bylaw**, add the following text:

**"CANNABIS"** means a cannabis plant, including the phytocannabinoids produce by or found in such a plant regardless of whether that part has been processed or not and any substance or mixture of substances that contains or has on it and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained. Marijuana shall have the same definition.

**"CANNABIS PRODUCTION FACILITY"** means the use of land, buildings or structures for the cultivation, processing, testing, destruction, packaging and shipping of cannabis/marijuana, as approved by Health Canada and regulated under the federal Cannabis Act. These facilities may be further categorized as either a standard or micro-cultivation use, a cannabis nursery use, or standard or micro-processing use. May also includes any medical marihuana facility regulated under the Access to Cannabis for Medical Purposes Regulations. Specifically excludes storefront or retail outlet distribution of cannabis.

**"STANDARD CULTIVATION, CANNABIS"** means the indoor large-scale growing of cannabis plants and harvesting material from those plants, as well as associated activities. Canopy space up to or more than 200 square metres (2152 square feet) is permitted.

**"MICRO-CULTIVATION, CANNABIS"** means the indoor small-scale growing of cannabis plants and harvesting material from those plants, as well as associated activities. Canopy space up to 200 square metres (2152 square feet) is permitted.

**"NURSERY, CANNABIS"** means the indoor growing of cannabis plants to produce starting material (seed and seedlings) and associated activities. Canopy space must not exceed 50 square metres (538 square feet).

**"STANDARD PROCESSING, CANNABIS"** means the large-scale manufacturing, packaging and labelling of cannabis products destined for sale to consumers, and the intra-industry sale of these products, including to provincially/territorially authorized distributors, as well as associated activities. There is no limitation on the amount of dried flower processed annually.

**"MICRO-PROCESSING, CANNABIS"** means the small-scale manufacturing, packaging and labelling of cannabis products destined for sale to consumers, and the intra-industry sale of these products, including to provincially/territorially authorized distributors, as well as associated activities. Up to 600 kg of dried flower may be processed annually.

### **ESTABLISHMENT OF ZONES**

Under **Section 5 Establishment of Zones** of the Zoning Bylaw, add the following text:

To section 5.27.1 (the list of Principal Permitted Uses) in the **M1 – Light Industry Zone**<sup>2</sup>:  
“Standard cultivation, Cannabis”  
“Standard processing, Cannabis”  
“Micro-cultivation, Cannabis”  
“Micro-processing, Cannabis”  
“Nursery, Cannabis”

To section 5.28.1 (the list of Principal Permitted Uses) in the **M2 – Medium Industry Zone**:  
“Standard cultivation, Cannabis”  
“Standard processing, Cannabis”  
“Micro-cultivation, Cannabis”  
“Micro-processing, Cannabis”  
“Nursery, Cannabis”

To section 5.29.1 (the list of Principal Permitted Uses) in the **M3 – Heavy Industry Zone**:  
“Standard cultivation, Cannabis”  
“Standard processing, Cannabis”  
“Micro-cultivation, Cannabis”  
“Micro-processing, Cannabis”  
“Nursery, Cannabis”

To Section 5.20.1 (the list of Principal Permitted Uses) in the **C3 - Service Commercial Zone**:  
“Micro-cultivation, Cannabis”  
“Micro-processing, Cannabis”  
“Nursery, Cannabis”

To Section 5.21.1 (the list of Principal Permitted Uses) in the **C4 - Highway Commercial Zone**:  
“Micro-cultivation, Cannabis”  
“Micro-processing, Cannabis”  
“Nursery, Cannabis”

## GENERAL REGULATIONS

Under **Section 6 General Regulations** of the Zoning Bylaw, add the following text:

### **Section 6.27 Cannabis Production Facilities:**

*All Cannabis Production Facilities shall conform to the following:*

- 6.27.1 *Any operational Cannabis Production Facility must be regulated, approved and licensed by Health Canada. A City Business License is also required for operations.*
- 6.27.2 *A Cannabis Production Facility is not permitted within 300 metres of the nearest property line of a site containing a school, licensed daycares, or another Cannabis Production Facility.*

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<sup>2</sup> For clarification, the Zoning Bylaw is scaled for industrial uses. By adding a new use to the M1 – Light Industry zone, it will automatically be added to the M2 or M3 zones as well.

- 6.27.3 *If zoned favorably a Cannabis Production Facility may operate a cultivation, processing, and retail use in conjunction on site. A Cannabis Production Facility is not permitted in conjunction with any other use.*
- 6.27.4 *A Cannabis Production Facility must be built to contain odor, noise, light and glare within the facility as to avoid adverse effects that impair the use, safety or livability of adjacent properties.*
- 6.27.5 *Any Cannabis Production Facility must obtain a Development Permit from the City. Architectural, landscaping, signage, and lighting plans are required to be submitted in order to be considered for approval.*
- 6.27.6 *A Cannabis Production Facility must limit their hours of operation to occur be between 8:00 am and 8:00 pm.*

**PARKING REGULATIONS**

With regards to the number of parking stalls provided on site, under both the ‘Commercial’ and ‘Industrial’ parts of subsection **7.9 Required Amount of Parking** (within the Parking Regulations section of the Zoning Bylaw) add the following text:

*Cannabis Production Facility: 1 per employee or 1 per 190 m2 (2045 ft2) of gross floor area, whichever is the greater.*

**OFFICIAL COMMUNITY PLAN AMENDMENTS**

As per Council’s direction, staff propose adding the following text to the Official Community Plan. The purpose of this additional text is to provide specific guidelines for the form and character of commercial and industrial Cannabis Production Facilities.

For commercial Cannabis Production Facilities staff recommend adding the following text under **Section 1.2 Development Permit Area No. 2 Commercial Development:**

- iv) Commercial Cannabis Production Facilities – Additional Guidelines**
- Any Cannabis Production Facility to be located within a commercial zone must follow relevant Commercial Development Permit Area Design Guidelines, Sign Bylaw requirements and any other design guidelines. Development permit area exemptions do not apply.
  - Development permit application submissions shall include information on venting, as well as information on how odors from the business would be addressed (e.g. location of venting, carbon filters, etc.).
  - Repetitive and featureless monotonous buildings and barriers (such as solid fences and blank walls) shall be avoided.
  - Fences located in the frontyard setback are strongly discouraged. Landscaping generally shall be used, in preference to fences and walls, to provide buffers and screens.
  - Sound attenuation measures should be employed. May include planting, grade changes and greater separation of uses in preference to fences.
  - Loading zones and/or garbage facilities shall be screened and/or located away from public entrances and front of building activity. Loading entrances should be secure.
  - A sidewalk 1.9 metres in width shall be provided (or improved) along road frontages.
  - Setbacks and buffers should provide adequate separation from conflicting adjacent uses.
  - On-site lighting should permit identification of another person’s face at a 23 metre distance.

For industrial Cannabis Production Facilities staff recommend adding the following text under **Section 1.3 Development Permit Area No. 3 Industrial Development**

**Industrial Cannabis Production Facilities – Additional Guidelines**

- Any Cannabis Production Facility to be located within an industrial zone shall follow relevant Industrial Development Permit Area Design Guidelines, Sign Bylaw requirements and any other design guidelines. Development permit area exemptions do not apply.
- Development permit application submissions shall include information on venting, as well as information on how odors from the business would be addressed (e.g. location of venting, carbon filters, etc.).
- The site shall provide a hard-landscaped buffer (i.e. fence or wall) and a landscaped buffer consisting of some combination of trees, shrubs, hedges, ground cover, lawns, or other horticultural elements.
- Repetitive and featureless monotonous buildings and barriers (such as solid fences and blank walls) shall be avoided.
- Sound attenuation measures should be employed. May include planting, grade changes and greater separation of uses in preference to fences.
- Loading zones and/or garbage facilities shall be screened and/or located away from public entrances and front of building activity. Loading entrances should be secure.
- Setbacks and buffers should provide adequate separation from conflicting adjacent uses.
- On-site lighting should permit identification of another person's face at a 23 metre distance.
- Large industrial facilities should incorporate signage into formal entrance features.

**CONCLUSIONS**

The City of Port Alberni is considering implementing regulations to permit Cannabis Production Facilities within city limits. Staff have developed recommendations that both incorporate public input and consider best practices demonstrated in other communities. The proposed approach will permit certain types of Cannabis Production Facilities in industrial zones and limited commercial zones. Additional regulations are being proposed to mitigate concerns about odor, noise, air quality, and clustering of cannabis uses. All Cannabis Productions Facilities should be required to obtain a development permit to also help mitigate concerns and help ensure high quality development.

If the Advisory Planning Commission is supportive of the proposed amendments outlined above then staff will prepare bylaw amendments that reflect those changes and bring them to Council for consideration. The OCP and Zoning Amendment Bylaw amendments will require further public input at the time of a public hearing before final adoption of the Bylaws can be considered by Council.

Amendments to the Business License Bylaw, an administrative bylaw amendment, will come forward under a separate report to Council. No public hearing is required for the consideration of administrative bylaws.

**OPTIONS**

1. Recommend to Council that they support the recommendations as presented.
2. Recommend to Council that staff further refine the recommendations.
3. Provide an alternative recommendation.

**RECOMMENDATION**

The Planning Department recommends Option #1.

*That the City of Port Alberni Advisory Planning Commission recommends to City Council they support the proposed Official Community Planning and Zoning Bylaw amendments to introduce Cannabis Production Facilities as a permitted use.*

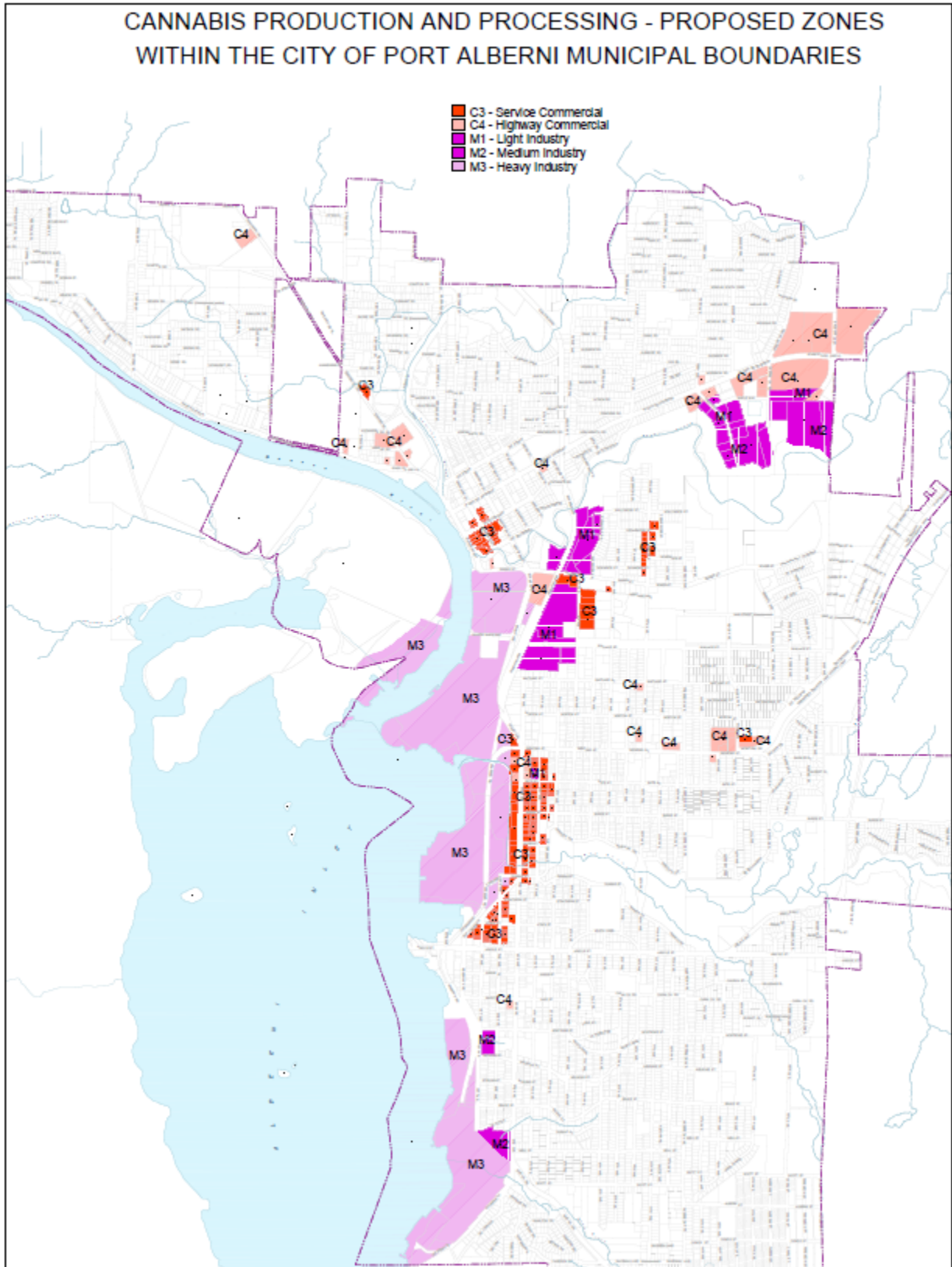
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Katelyn McDougall', with a horizontal line underneath.

Katelyn McDougall, M.Urb  
Manager of Planning



**PROPOSED ZONES FOR CONSIDERATION**



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**OFFICIAL COMMUNITY PLAN EXERT - DEVELOPMENT PERMIT AREA GUIDELINES****1.1 Development Permit Area No: 2  
Commercial Development****Area**

That area marked Development Permit Area No. 2 as shown on Schedule “B” to this Bylaw is hereby designated as a development permit area.

**Justification**

The justification for the designation of this Development Permit Area is the highly visible location of the areas within the City with its implications for community image. The intent of this Development Permit Area is to ensure high quality development.

**Guidelines****i) Scale, Form and Character**

1. A “box-like” appearance or a horizontal emphasis in building design shall be avoided. Building massing, walls, facades and roof lines shall be varied, articulated, stepped or indented. Except for Highway Commercial (HCO), building massing should be close to the street to unify the street elevation as a whole, and architectural detailing shall reflect appropriate scale, proportion and arrangement to enhance the pedestrian quality of the streetscape.
2. Buildings at road intersections should reinforce the corner definition and highlight entrance ways. Buildings should front both roads.
3. Building materials shall be of a high standard to convey quality and permanence.
4. Variations in the use of facade finishes shall be used to create a varied and attractive appearance. The use of wood as an architectural feature is encouraged.
5. Entrances and windows should be highlighted through vertical facade articulation including roof line or cornice accents or other architectural features.
6. Continuous weather protection shall be provided over pedestrian focal points on exterior building walls.
7. All roof top mechanical equipment shall be screened from view and should blend in with the roof line.
8. Loading areas, garbage and recycling bins shall be completely screened.
9. The design of buildings, parking lots, lighting and open space shall take into consideration the principles of CPTED (Crime Prevention through Environmental Design).

**ii) Signage, Landscaping, and Parking**

1. The size, location and design of signage shall be architecturally integrated with the overall design of the buildings and landscaping and should be at a pedestrian scale. Signs shall comply with the City of Port Alberni Sign Bylaw.
2. On-site lighting shall be designed to minimize light spillage onto adjacent properties.
3. Parking areas that are visible from the street shall be screened through the use of landscaping.
4. Landscaping shall be used to define public space and to create an enhanced streetscape image, and to soften a land use transition.
5. **BYLAW 4856** Bicycle parking facilities shall be provided in a location convenient to the building entrances.
6. Bicycle parking facilities shall afford an opportunity to secure bicycles against theft.

### iii) Highway Commercial (HCO) – Additional guidelines

1. A perimeter landscaping buffer area of an average width of 4 metres shall be provided along the inside of the property frontage where it borders a public street (excluding lanes) or adjacent lands containing a residential use. Boulevards of adjacent streets shall be landscaped and maintained by the adjacent developments. The perimeter landscaping buffer and boulevards may contain a combination of trees, shrubs, flower beds, grass, pavers and solid decorative fencing. All landscaped areas shall be serviced by an underground irrigation system.
2. A sidewalk 1.9 metres in width shall be provided along road frontages. A trail system can be used as an alternative to traditional sidewalks. However, a surface treatment shall be required that provides clean and stable footing at all times. Internal pedestrian walkways shall be provided from the public sidewalks to the principal customer entrance of all principal buildings on the site.
3. Parking areas shall avoid large expanses of uninterrupted paved surfaces. Parking lots should be broken down into smaller parking areas evenly dispersed throughout the development. Parking areas shall include landscaped areas designed to avoid conflict with automobiles and automobile occupants.

### Development Permit Not Required

Development Permits shall not be required in the following instances:

1. for construction that is undertaken within the exterior walls of a principal building or structure,
2. construction of a value less than \$25,000; and
3. alteration of the message and/or graphic on signs, awnings or canopies where the size, area, shape, lighting and physical structure of the signs, awnings or canopies are not changed.

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## **1.2 Development Permit Area No: 3 Industrial Development**

### **Area**

That area marked Development Permit Area No. 3 as shown on Schedule “B” to this Bylaw is hereby designated as a development permit area.

### **Justification**

The justification for the designation of this Development Permit Area is the highly visible nature of the areas. The intent of this Development Permit Area is to ensure high quality development and buffer adjacent land uses.

### **Guidelines**

1. The design of parking and manoeuvring isles shall permit the efficient circulation of vehicles, and will include special provision for large truck movements.
2. On-site lighting shall be designed to minimizing light spillage onto adjacent properties.
3. Landscaping shall be used to adequately soften the transition to non-industrial land uses, and to soften the street frontage of the building.
4. All open storage areas shall be restricted to the rear of the property or the side if fully and appropriately screened.
5. Loading areas shall be restricted to the rear or side of the building where not abutting a road.

### **Development Permit Not Required**

Development Permits shall not be required in the following instances:

1. Construction of a value less than \$10,000.
2. Alteration of the message and/or graphic on free standing signage where the size, area, shape, lighting and physical structure of the signs, are not changed.



# CITY OF PORT ALBERNI

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## PLANNING DEPARTMENT REPORT TO THE ADVISORY PLANNING COMMISSION

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TO: Advisory Planning Commission  
FROM: Katelyn McDougall, Manager of Planning  
DATE: October 15, 2019

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**SUBJECT: Cannabis Cultivation Zoning - Public Engagement Summary and Proposed Recommendations**

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### **ISSUE**

At issue is the consideration of changes to the City's zoning bylaw (*Bylaw 4832*) to introduce cannabis cultivation (both indoor and outdoor facilities based on various scales of production) as a permitted use within city limits. City Staff and students from Vancouver Island University's Master of Community Planning program have developed the suggested recommendations based on a review of best practices, and input gathered through the public engagement process. A summary of that information is provided in the report below.

### **BACKGROUND**

In response to the legalization of cannabis the City of Port Alberni determined appropriate zones to permit cannabis retail stores, and changes to the Zoning Bylaw were made at the end of 2018. In 2019 staff were directed by Council to identify appropriate zoning for the production of cannabis, while engaging the public and First Nations.

The Planning Department and students from Vancouver Island University's Master of Community Planning program developed a quick but comprehensive three-month (August to October) consultation process that involved an online survey, two open houses, and an information booth at the Fall Fair. A list of key stakeholders and First Nations were contacted individually by letter that invited them to engage in the process or set up a meeting with staff if more convenient or ideal. The survey questionnaire was designed to reflect Council's direction to gather input from the public on how to enable and regulate cannabis cultivation within city limits.

The students from the VIU MCP program researched emerging trends in municipal approaches to regulating cannabis cultivation. This information is summarized below along with the public engagement results, and has been used to inform staff's proposed recommended changes to the Zoning Bylaw.

**Discussion**

**Review of Other Municipal Approaches to Cannabis Cultivation**

Many other municipalities and regional districts have gone through a process of zoning to allow Cannabis Production Facilities (CPF) as a permitted use. Generally, these types of facilities are placed in industrial and agricultural zones. It is common for certain types of facilities to be differentiated between certain zones based on the size and type of the structure (outdoor, indoor, warehouse, greenhouse, etc.). Many places have zoning requirements for specific minimums for setbacks, buffer zones (for example, from schools, parks, or institutions), building height, floor-area ratio, and building character (especially when allowed in commercial zones).

Below is a brief summary of what several other jurisdictions have done to regulate cannabis cultivation:

<p><b>Comox Valley Regional District:</b></p>	<p>For certain Electoral Areas, the CVRD has not added Cannabis Production Facilities as a permitted use to any zone. Instead, a company wishing to operate a CPF must undergo a Rezoning or Temporary Use Permit application, which will allow for a site-specific analysis and require public engagement of some form.</p>
<p><b>City of Nanaimo:</b></p>	<p>The City of Nanaimo allows for CPFs in their I4 (Industrial) zone, and only allows for “micro cannabis production” in the I1 (Highway Industrial) and I2 (Light Industrial) zones. This ensures that large-scale CPFs (larger than 200m<sup>2</sup>) are only permitted in heavier industrial areas, further away from more populated areas, and that only smaller scale CPFs (smaller than 200m<sup>2</sup>) are permitted in industrial zones that may be closer to residential or commercial areas.</p>
<p><b>Regional District of Central Kootenay:</b></p>	<p>The RDCK has added Cannabis Nursery Licenses (allows cannabis to be grown for the production of seeds, seedlings, and clones) and Cannabis Micro Cultivation (space smaller than 200m<sup>2</sup>) in their R3 (Rural Residential), R4 (Remote Residential), AG (Agricultural), and M (Industrial) zones, while only allowing larger CPFs in their AG (Agricultural) and M (Industrial) zones.</p>
<p><b>Alberni-Clayoquot Regional District:</b></p>	<p>The ACRD is in the process of reviewing proposed bylaw changes to regulate the construction of new cement-based buildings for the production of medical and non-medical cannabis. The proposed zoning amendment would 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. Similar to the CVRD, new cement-based facilities would be assessed on a case-by-case basis via a rezoning application.</p>

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It is important to note that the BC Agricultural Land Commission (ALC) decided that cannabis production is an acceptable farm use on land protected within the ALR as long as it is done in a way that protects the land's productive capacity. As such, cannabis production within the Agricultural Land Reserve (ALR) cannot be prohibited by a local government if grown under any of the following circumstances:

- Outdoors in a field; or
- Inside a structure that has a base consisting entirely of soil; or
- Inside a qualifying concrete-based structure built, or under construction, prior to July 13, 2018.

Therefore, any city or regional district in BC would be unable to prohibit cannabis production in the ALR as long as it meets the ALC's requirements.

### Public Engagement Summary

As directed by Council, staff from the Planning Department worked together with students from Vancouver Island University's Master of Community Planning program on a three-month (August to October) consultation process that gathered input and feedback on questions related to enabling cannabis cultivation as a permitted use within city limits.

A number of engagement events were held both online and in-person, including:

- An online survey, online mapping tool, and two quick public opinion polls (available from August 13 – September 13 2019)
- An open house for gathering information, ideas, and comments from the public (hosted at the Echo Centre on August 28, 2019)
- A tabling event at the Port Alberni Fall Fair for gathering information, ideas, and comments (September 5, 2019)
- An open house for sharing public engagement results and to gather feedback on proposed recommendations for Council to consider (hosted at Port Alberni City Hall on October 9, 2019)

In total there were 286 responses to the online survey, and about 70 in-person interactions in total between the three events.

### Survey Highlights

A survey was available, both online and in-person, during the consultation process. In total 286 surveys were submitted, 56 participants completed one of the quick polls and 20 participants responded to the other quick poll. In terms of overall engagement with the survey the amount of participation is higher than compared to other online surveys the City has recently conducted. However, it is important to note that the survey is not intended to gather a representative sample of residents' opinions, but is provided as one method for receiving input during the consultation process.

In response to the survey, most respondents indicated that they saw cannabis cultivation as an agricultural use (40%), although many respondents (36%) thought it was an industrial use or commercial use and another 33% said it could be any of those three land uses. A much smaller percentage of responses indicated that the type of use should be dependent upon the scale of the facility (14%) or the actual operations of the facility (17%). For this question respondents were able to select as many zones as they agreed with, rather than the one they most agreed with. See image in the appendix for a breakdown of the results.

With respect to establishing a minimum parcel size requirement 47% of respondents indicated that no restrictions should be required. Among the 53% of respondents who indicated that a size minimum should be required, most respondents tended to be in favor of larger parcel sizes: 25% indicated the minimum parcel size should be 5 acres, 12% indicated 1 acre, 9% indicated 2.5 acres, and 7% indicated at least half an acre.

To a question regarding buffer zone requirements (ensuring a minimum separation distance between cannabis cultivation and cannabis retail stores) 48% of respondents thought that the City of Port Alberni should establish a 1000 meter separation distance between these uses, whereas 40% of respondents disagreed and 12% were unsure.

A majority (68%) of survey respondents thought that CPFs should be required to obtain a Development Permit to ensure that specific criteria regarding built form and other characteristics are met. Only 22% said that a Development Permit should not be required, and 10% were undecided on the question.

Included in the survey was series of zoning statements related to cannabis cultivation, and respondents were asked to indicate if they agreed or disagreed with those statements. Overall respondents tended to agree that setbacks and buffer zones should be used to regulate the industry. Most also agreed that the City should closely monitor Cannabis Production Facilities and evaluate zoning changes on an ongoing basis moving forward. The table below provides a breakdown how respondents responded to the statements they were asked about:

	Strongly Agree	Somewhat Agree	Neutral	Somewhat Disagree	Strongly Disagree
The City should develop strict setbacks from adjacent properties to mitigate potential nuisance concerns associated with small scale facilities.	36%	28%	16%	11%	9%
The City should develop strict setbacks from adjacent properties to mitigate potential nuisance concerns associated with large scale facilities.	34%	23%	18%	14%	12%
A 300-meter buffer zone should be put in place to keep Cannabis Production Facilities a minimum distance away from schools.	44%	25%	10%	9%	12%
The City should closely monitor Cannabis Production Facilities and evaluate zoning changes on an ongoing basis moving forward.	39%	35%	15%	6%	5%
Micro Production and Processing would be okay in some commercial areas.	28%	40%	11%	6%	15%
Large scale Cannabis Production Facilities should only be permitted in agricultural or industrial zones.	31%	33%	14%	10%	12%
Cultivation that occurs outdoors should only be considered as an agricultural (farm) use.	21%	32%	17%	13%	17%



A total of 72% of survey respondents agreed with the statement that “*allowing the production and processing of cannabis in Port Alberni will contribute to the economy*”, whereas 17% disagreed and 11% were neutral about the economic impact of the industry.

When asked specifically about standard cultivation and processing (facilities greater than 200 m<sup>2</sup>), micro cultivation and processing (facilities less than 200 m<sup>2</sup>), and cannabis nurseries (facilities under 50 m<sup>2</sup> for seeds only/no dried flower) respondents gave more specific answers about where each type use should be permitted. It should be noted that for questions related to where the specific uses should be permitted respondents were able to select as many zones as they agreed with, rather than only selecting one zone that they most agreed with.

In response to a question about where standard cultivation and processing should be permitted, 71% of respondents indicated they thought agricultural zones would be appropriate and 80% said industrial zones would be appropriate. Commercial areas were not as supported for standard cultivation facilities, but of the commercial zones 46% thought highway commercial areas would be appropriate, 36% said general commercial areas would be appropriate, and about 34% said service commercial would be appropriate. All other commercial zones were not supported for standard cultivation in comparison.

In response to a question about where the micro cultivation of cannabis should be permitted, 71% of respondents indicated they thought agricultural zones would be appropriate and 84% said industrial zones would be appropriate. Compared to the other types of cannabis cultivation, micro cultivation was most supported in commercial areas, though it was still less supported compared to agricultural or industrial zones. Of the commercial zones 55% thought highway commercial areas would be appropriate for the micro cultivation of cannabis, 44% said general commercial would be appropriate, 42% said service commercial, and only around 30% said core business and neighborhood commercial areas would be appropriate for this activity.

In response to a question about where cannabis nurseries should be permitted, 77% of respondents indicated they thought agricultural zones would be appropriate and 79% said industrial zones would be appropriate for this activity. Compared to standard cultivation respondents thought that cannabis nurseries were more acceptable in commercial zones, but still less supported overall than micro cultivation in commercial areas. Of the commercial zones 50% thought highway commercial areas would be appropriate for cannabis nurseries, 38% said general commercial would be appropriate. Only 34% said service commercial areas would be appropriate, about 25% said neighborhood commercial areas and 23% said core business areas would be appropriate.

Most respondents (37%) did not think that micro cultivation should be allowed as an accessory use in residential areas, compared to 18% who supported that idea, and the 21% who supported micro cultivation as an accessory use in rural or semi-rural areas. Similarly, most respondents (40%) did not think that cannabis nurseries should be allowed as an accessory use in residential areas, compared to 19% who supported that idea, and 24% who supported cannabis nurseries as accessory use in rural or semi-rural areas.

### In-Person Engagement Highlights

Three in-person engagement events were hosted by the City as part of the consultation process. The first event was an Open House hosted at the Echo Centre in late August. Nine attendees came to share their opinion. Of those who attended the event the general opinion seemed to be split in terms of support or lack of support for cannabis cultivation. In discussion with those who were generally opposed to CPFs most felt better about permitting the use only within agricultural or industrial areas if setbacks and buffer zones were also introduced. The

most common concerns discussed were odor, noise, air quality and property value. The most common benefits mentioned were increased economic development, increased municipal tax revenue, and increased employment prospects within the city.

A tabling event was held at the Port Alberni Fall Fair on September 5, 2019 which was used for gathering information, ideas, and comments. At this event staff interacted with participants who did not want to (or were not able to) attend the open house. At this event fewer people were neither completely for nor against cannabis cultivation. People were mainly curious and wanted to learn about how these facilities operated, and what types of impacts might result from allowing cultivation in certain areas of the city. The majority of individuals engaged at this event wanted to see regulations were in place to mitigate odor and noise, and to restrict large facilities to rural or industrial properties.

On October 9, 2019 an open house for sharing public engagement results and to gather feedback on proposed recommendations for Council to consider was hosted at City Hall. The individuals who attended reiterated common sentiments expressed throughout the process. Of those who attended no one provided any objections, or proposed any alterations, to the proposed recommendations as they appear below.

## **CONCLUSIONS**

Cannabis production and cultivation are now legal with a license from Health Canada, and industry proponents have been looking to the Alberni Valley for a place to start up new ventures. The legalization of the recreational use of cannabis may create economic opportunities for any community looking to diversify their economy. The City of Port Alberni has already permitted cannabis retail stores in certain commercial zones. After a three month discussion with the public about zoning for Cannabis Production Facilities staff have recommend an approach to make room for this new industry.

Through online and in-person engagement staff heard from many Port Alberni residents and visitors. Most people who attended events in-person seemed apathetic about cannabis cultivation, with standard and reoccurring concerns. Overwhelming the majority of people who were engaged throughout the consultation process supported allowing cannabis cultivation occurring within city limits, and did not have an issue with the industry as long as it was properly managed and regulated.

A number of valid concerns were raised about Cannabis Production Facilities, regarding odor, air quality, and waste management. A small number of individuals were completely opposed to the legalization of cannabis and were thus opposed to any municipal zoning related to cannabis. Some individuals who participated in the consultation process expressed opposition to specific production facilities that were being discussed in the regional district, but did not clearly provide input on how to regulate the activity within city limits.

The recommendations below incorporate public input and consider what practices demonstrated in other communities could work in Port Alberni. The proposed approach is to permit cannabis cultivation in industrial zones, agricultural zones, and limited commercial zones based on the scale and type (indoor or outdoor) of facility. Throughout the consultation process members of the public raised concerns about odor, noise, air quality, and environmental impact, so staff have proposed the use of setbacks, buffer zones, develop permit areas, and other regulations to help mitigate these concerns. It is important to note that any new legal CPF will involve some federal oversight as Health Canada regulates all cannabis production licenses – and all licensed facilities will be held to strict federal standards with regards to air quality, odor, etc.

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### Recommended Approach to Zoning for Cannabis Cultivation

1. Those regarding indoor facilities (greenhouse or warehouse):
  - a. That Standard Cultivation Facilities (anything more than 200m<sup>2</sup> 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 200m<sup>2</sup> 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 50m<sup>2</sup> 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.

### OPTIONS

1. Support the recommendations as presented and direct staff to prepare a bylaw with these proposed changes.
2. Recommend that staff take further time to consider the matter and bring back recommendations based on additional feedback from APC and Council.
3. That APC and Council provide alternative direction.

**RECOMMENDATION**

The Planning Department recommends options #1.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. McDougall', with a horizontal line underneath.

Katelyn McDougall, M.Urb  
Manager of Planning

**APPENDIX I: SURVEY**



**How should Port Alberni zone for Cannabis Production & Processing Facilities?**

*Thank you for connecting with us on matters that mean the most to you. Please be sure to complete and submit this survey before **Friday September 13, 2019**. Prior to completing this survey, be sure to read the City of Port Alberni's FAQ sheet about Cannabis Production and Processing for more background information.*

**1. When you think about land use, what does cannabis production and processing seem like to you? (select all that apply): (Choose all that apply)**

- An agricultural use
- An industrial use
- A commercial use
- Any of the above
- Depends on scale of the facility
- Depends on the operations/intentions of the facility
- Other

***If you chose "Other" please explain:***

**2. Should Cannabis Production Facilities be required to operate on a parcel of land that is a certain minimum size? (Choose one option)**

- No restrictions needed
- Yes, at least half an acre
- Yes, at least 1 acre
- Yes, at least 2.5 acres
- Yes, at least 5 acres

**3. Please indicate how you feel about the following statements:**

Questions	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
A 300 meter buffer zone should be put in place to keep Cannabis Production Facilities a minimum distance away from schools.					
Micro Production and Processing would be okay in certain commercial areas.					
Large scale Cannabis Production Facilities should only be permitted in agricultural or industrial zones.					
Cultivation that occurs outdoors should only be considered as an agricultural (farm) use.					
Allowing the production and processing of cannabis in Port Alberni will contribute to growing our economy.					
The City should develop strict setbacks from adjacent properties to mitigate potential nuisance concerns associated with small scale facilities.					
The City should develop strict setbacks from adjacent properties to mitigate potential nuisance concerns associated with large scale facilities.					

Questions	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
The City should closely monitor Cannabis Production Facilities and evaluate zoning changes on an ongoing basis moving forward.					

4. **The City of Port Alberni might want to propose a 1000 meter separation distance to ensure that cannabis retail stores and production facilities aren't clustered too close together. Do you support this idea? (Choose one option)**

- Yes
- No
- Unsure

5. **Beyond the Zoning Bylaw and regular Building Permits, should all Cannabis Facilities be required to obtain a Development Permit (regulating the built form and ensuring development follows a strict set of guidelines)? (Choose one option)**

- Yes
- No
- Unsure

**Questions about zoning for Standard Cannabis Cultivation & Processing:**

*What is Standard Cultivation? • Permits more than 200 square metres (2152 square feet) of canopy space indoors (higher security risk) - new applicants permitted 'unique genetics' • Can apply for multitude of licensing (processing, analytical testing, research and development, nursery) • Can sell wholesale (third party), direct sales to provincial distributor (LCRB), other processors or direct to medical patients (if licensed)*

*What is Standard Processing? • Authorizes the extraction of cannabis oil • Licensing can be stand alone or in conjunction with cultivation licensing • No limitation on the amount of dried flower processed annually*

6. **Where should Standard Cultivation and Processing be permitted? (select all that apply): (Choose all that apply)**

- Agricultural areas
- Industrial areas
- Neighborhood commercial areas
- General commercial areas
- Service commercial areas
- Highway commercial areas
- Core business areas
- Other

**If you chose "Other" please explain:**

**Questions about Cannabis Micro Cultivation & Processing:**

*What is Micro Cultivation? • Permits 200 square metres (2152 square feet) of canopy space both indoors and outdoors – new applicants permitted 'unique genetics' • One license permitted per parcel • Can sell wholesale (third party), direct sales to provincial distributor (LCRB), other processors or direct to medical patients • Application to Health Canada requires notification to local government • Building must be constructed prior to issuance of a license.*

*What is Micro Processing? • Authorizes the extraction of cannabis oil • Licensing can be stand alone or in conjunction with cultivation licensing • Permitted to process up to 600 kg of dried flower annually*

**7. Where should Micro Cultivation and Micro-Processing be permitted? (select all that apply): (Choose all that apply)**

- Agricultural areas
- Neighborhood commercial areas
- Service commercial areas
- Core business areas
- Industrial areas
- General commercial areas
- Highway commercial areas
- Other

***If you chose "Other" please explain:***

**8. Should Micro Cultivation and Micro-Processing be considered as an accessory use (less significant than, and secondary to, the principal use) in some residential zones? (Choose one option)**

- Yes, any residential area
- Only in a rural or semi-rural residential area No
- Unsure

**Questions about zoning for a Cannabis Nursery:**

*What is a Nursery? • Authorizes the cultivation of genetics (cannabis and hemp) for the production of seeds, seedlings and clones - new applicants permitted 'unique genetics' • Can be sold to any other type of license holder • Cultivation can be either indoors (greenhouse or warehouse) or outdoors (farmed) • Canopy space limited to 50 square metres (538 square feet) – does not permit cultivation of finished product (dried flower)*

**9. Where should Cannabis Nurseries be permitted? (select all that apply): (Choose all that apply)**

- Agricultural areas
- Neighborhood commercial areas
- Service commercial areas
- Core business areas
- Industrial areas
- General commercial areas
- Highway commercial areas
- Other

***If you chose "Other" please explain:***

**10. Should Cannabis Nurseries be considered as an accessory use (less significant than, and secondary to, the principal use) in some residential zones? (Choose any one option)**

- Yes, any residential area
- Only in a rural or semi-rural residential area No
- Unsure

**11. Do you have any other comments you'd like to share with us about Cannabis Production and Processing in Port Alberni?**

**12. What is your gender? (Choose one)**

- Male
- Female
- Transgender
- Other

**13. What area most closely identifies where you currently reside? (Choose any one option)**

- North Port Alberni
- South Port Alberni
- Cherry Creek
- Westporte Place
- Cameron Heights
- Echo Village
- Beaver Creek
- Hupacasath First Nation
- Tseshah First Nation Other

**14. What is your age range? (Choose any one option)**

- Under 18 years old
- 18-24 years old
- 25-34 years old
- 35-44 years old
- 45-54 years old
- 55-64 years old
- 65+ years old

**15. Please describe your relationship to Port Alberni: (Choose all that apply)**

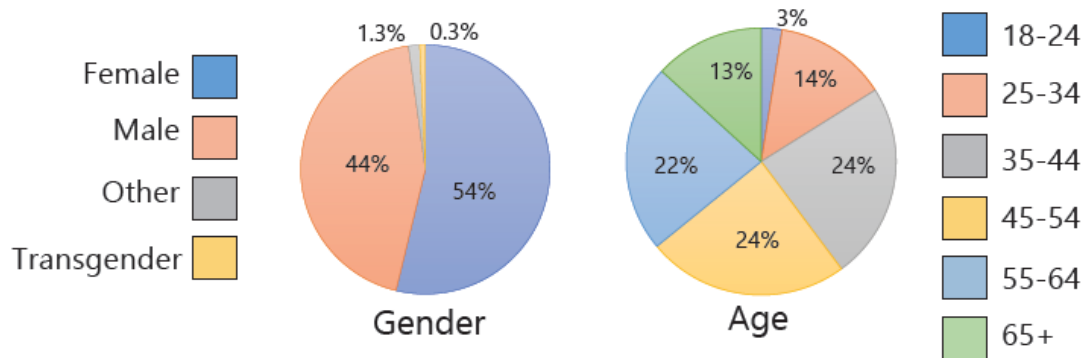
- I own a home in Port Alberni
- I rent a home in Port Alberni
- I run/own a business in Port Alberni
- I commute to work in Port Alberni
- I visit Port Alberni from time to time
- Other

***If you chose "Other" please explain:***

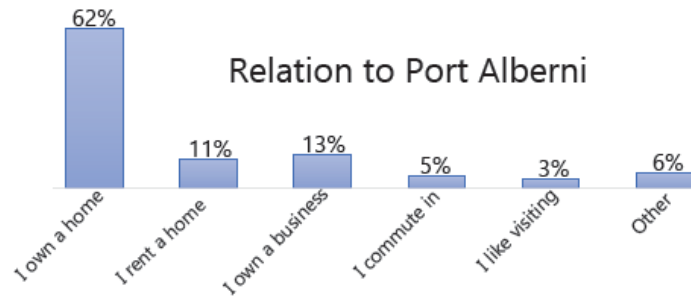


**APPENDIX II: ENGAGEMENT HIGHLIGHTS**

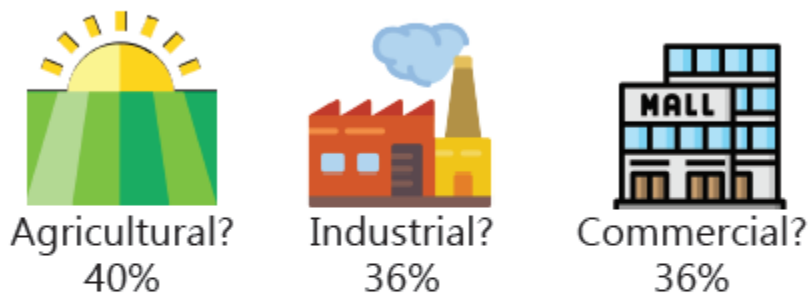
**Who Responded**



286 survey responses & 49 in-person interactions



**What Type of Land Use Does Cannabis Production Seem Like?**



Any of the above? 33%  
 Depends on the scale of the facility? 14%  
 Depends on the operations of the facility? 17%  
 Other? 2%

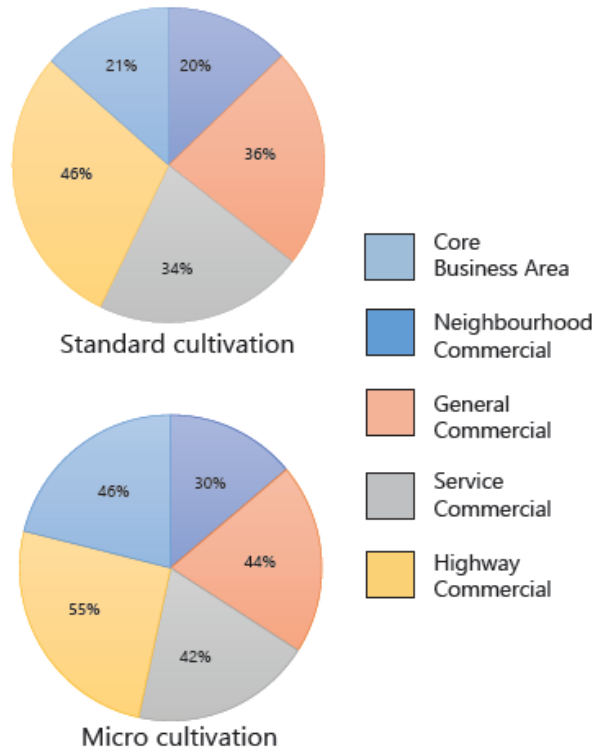
## How do Standard and Micro Cultivation Differ?



Standard cultivation: 71%  
Micro cultivation: 72%



Standard cultivation: 80%  
Micro cultivation: 84%



## Statements of Agreement and Disagreement

### Agree

### Disagree

**69%**

A 300m buffer zone should be put in place to keep these facilities a minimum distance from schools.

**21%**

**68%**

Micro production and processing would be okay to allow in certain commercial areas.

**21%**

**65%**

Large scale Cannabis Production Facilities should only be permitted in agricultural and industrial zones.

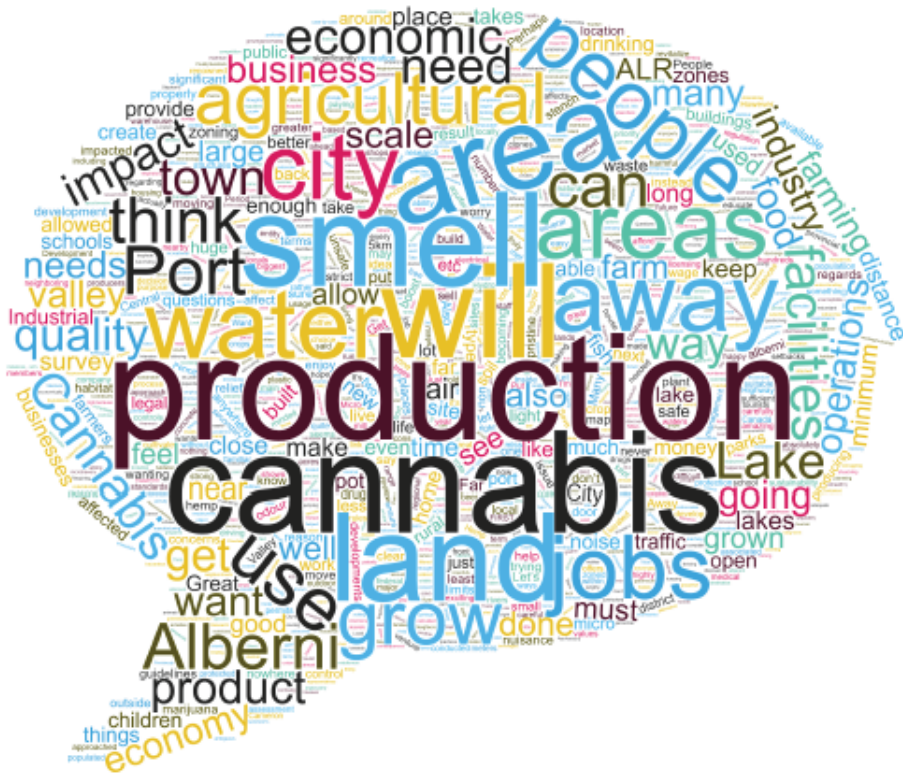
**22%**

**60%**

The City should develop strict setbacks from adjacent properties to mitigate potential nuisance issues.

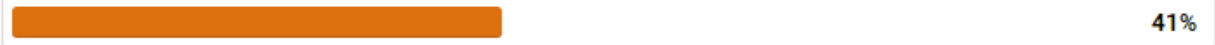
**23%**

# Open-Ended Responses



### Do you think Cannabis Production and Processing Facilities should be allowed within the City of Port Alberni?

Yes



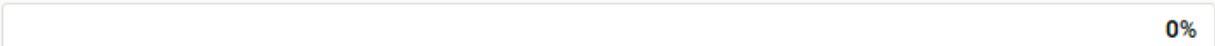
Only certain types of facilities



No



Unsure



Vote

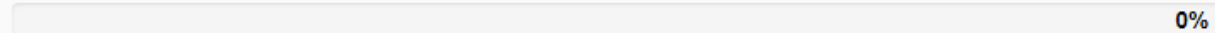
Total Votes : 56

### How likely is it that you would either produce or process cannabis as a business venture?

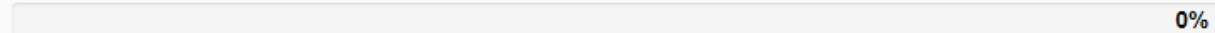
Not likely



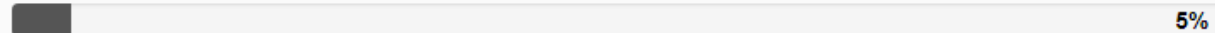
Somewhat likely



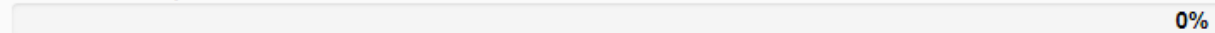
Very likely



Unsure



Prefer not to say



Vote

Total Votes : 20

### APPENDIX III: ZONES FOR CONSIDERATION

