

Request for Decision



To: Regular Meeting

From: **Development, Engineering & Planning**

Date: March 9, 2020

Subject: Development Variance Permit Application DVP2002

Recommendation: **THAT Council directs staff to proceed with the statutory requirements for public notice respecting a Development Variance Permit Application to allow a cannabis production facility at 105 - 60th Avenue, legally described as Plan KAP21622 District Lot 534, SDYD, Except Plan 27119 27765, Amended Lot 3 (H365) Exc DDS 3309F & H21087F, with PID 007-376-715.**

Background

The applicant, Thompson Health Products Ltd., is in the process of constructing a facility on land located at 105 - 60th Avenue, Grand Forks, B.C. legally described as Plan KAP21622 District Lot 534, SDYD, Except Plan 27119 27765, Amended Lot 3 (H365) Exc DDS, with PID 007-376-715. As market conditions have changed since the initial proposal for the facility, the applicant would like to change the business scope from dry fruit manufacturing to cannabis production.

Zoning & Policy Context

The parcel is 6.14 acres or 2.48 hectares in size. It is designated Airport (AA) land use in the Official Community Plan (OCP) and is in the Airport Industrial zone in the Zoning Bylaw. This zoning allows for cannabis production, processing and distribution. This zone also allows for the related activity of manufacturing, including agricultural value-added processing.

Because the building to house the production is within 100 meters of a parcel boundary in a residential zone and within 100m of a parcel boundary in a community use type zone in the Regional District, the owner has applied to the City for a Development Variance Permit (DVP) to vary subsection 57.4 of Zoning Bylaw 2039.

The residential parcel in the Regional District within 100m of the facility is zoned Residential 1. The only permitted principle use is single family dwelling. The parcel is in a low-density neighbourhood where the minimum lot size for new subdivision is 1 acre or 0.4 hectare.

The community use type parcel in the Regional District within 100m of the facility is zoned Institutional and Community Facilities. This zone allows for multiple principle uses

including agriculture, cemeteries & crematoriums, clubs & lodges, community care facility, cultural facility, emergency services, hospitals, personal care homes, intermediate care homes, institutional, museum, nurseries, kindergarten and day-care centres, post offices and tourist offices.

Table 1. VARIANCE REQUESTED	
Zoning Bylaw Section Reference	Variance Requested
57.4 Cannabis Production, Processing & Distribution Overlay <ul style="list-style-type: none"> no building or structure may be within 100m of the nearest parcel boundary of a lot in a residential zone 	Reduce the distance to 68m
57.4 Cannabis Production, Processing & Distribution Overlay <ul style="list-style-type: none"> no building or structure may be within 100m of the nearest parcel boundary of a lot in a Community Use zone 	Reduce the distance to 90m

Ownership

Owner(s):

Thompson Health Products Ltd.
3609 Expo Blvd
Vancouver, BC
V6Z 2V9

Agent:

Pettapiece Home & Developments
Box 597
Christina Lake, B.C. V0H 1E0

Timing

Next steps and tentative timeline are outlined in Table 2 below:

Table 2. PROPOSED TIMELINE	
ACTIVITY	TIMING
Regular Council Meeting – Council directs staff to proceed with statutory notice (letters to adjacent property owners)	March 9, 2020

Letters sent to adjacent property owners within 30m of subject property	March 10-13, 2020
Regular Council Meeting – Council Decision on DVP application	April 6, 2020
If Council grants the DVP staff will move forward with the requirements to administer the permit.	April 2020

Benefits or Impacts

General

The primary concerns with industrial-type activities near residential and community use type zones are nuisance odours, noise and light pollution. The applicant has included information in the application to address these issues:

- 1) *Odours*: Advanced equipment and filter materials will be used to eliminate odours. This will include:
 - a. Intake air: installation of filters to screen particulates as well as using the Green Clean UV system to remove mold, kill bacteria and microbial growth.
 - b. Indoor air: installation of an ozone generator to maintain good air quality and eliminate odours.
 - c. *Exhaust air*: The plant will use granular activated carbon filter media to remove particulates, odours and pollutants as well as a cannabis odour mitigation system which destroys up to 99% of cannabis odours exhausted.
- 2) *Light pollution*: The plant is designed as fully enclosed. In parking lots, backyard and the inner street, environmentally friendly outdoor light fixtures, which fully shield the light source to minimized glare and light trespass, will be used.
- 3) *Noise*: The plant is an enclosed building and is well planned to use low noise working machinery and processes to reduce noise from the source.

The proposed use is in line with the Official Community Plan initiative to support a diversified economy by encouraging growth and diversification of the business sector.

Strategic Impact

The proposal supports the City's strategic initiative to attract and retain sustainable businesses that provide a strong economic future by providing employment opportunities and an increased tax base.

Policy/Legislation

Zoning Bylaw 2039, Grand Forks Official Community Plan, Electoral Area 'D'/Rural
Grand Forks Zoning Bylaw, Electoral Area 'D'/Rural Grand Forks Official Community
Plan, Local Government Act, Community Charter

Attachments

- 1) Development Variance Permit application
 - 2) Parcel Report with zoning
 - 3) Parcel Report with aerial photo
 - 4) Proposed facility site plan
 - 5) Examples of proposed odour controls systems to be employed
-

Recommendation

THAT Council directs staff to proceed with the statutory requirements for public notice respecting a Development Variance Permit Application to allow a cannabis production facility at 105 - 60th Avenue, legally described as Plan KAP21622 District Lot 534, SDYD, Except Plan 27119 27765, Amended Lot 3 (H365) Exc DDS 3309F & H21087F, with PID 007-376-715.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

Document Title:	20200309 RFD DVP Thompson Health Products.docx
Attachments:	<ul style="list-style-type: none">- 1_Variance permit application_Redacted.pdf- 2_Parcel Report_Zoning.pdf- 3_Parcel Report_Aerial.pdf- 4_Site Plan.pdf- 5_Odour Control.pdf
Final Approval Date:	Feb 28, 2020

This report and all of its attachments were approved and signed as outlined below:

Ron Mattiussi - Feb 28, 2020 - 8:30 AM