Minutes of the **GOVERNANCE & SERVICES COMMITTEE** meeting of the Regional District of Central Okanagan held at Regional District Offices, 1450 KLO Road, Kelowna, B.C. on Thursday, November 14, 2013

**Directors**

- J. Baker (District of Lake Country)
- C. Basran (City of Kelowna)
- J. Edgson (Central Okanagan West Electoral Area)
- K. Fielding (District of Peachland)
- D. Findlater (District of West Kelowna)
- G. Given (City of Kelowna)
- R. Hobson (City of Kelowna)
- P. Hanson (Central Okanagan East Electoral Area)
- D. Ophus (District of West Kelowna)
- L. Stack (City of Kelowna)
- G. Zimmermann (City of Kelowna) arrived at 8:37 a.m.

**Regrets:**

- W. Gray (City of Kelowna)
- C. Derickson (Westbank First Nation)

**Staff:**

- B. Reardon, Chief Administrative Officer
- R. Fralick, Manager of Planning
- C. Radford, Director of Community Services
- B. Smith, Communications
- M. Drouin, Manager - Corporate Services (recording secretary)

1. **Call to order**

   Chair Hobson called the meeting to order at 8:30 a.m.

2. **Addition of Late Items to the Agenda**

   There were no late items for the agenda

3. **Adoption of the Agenda**

   **#53/13 EDGSON/BAKER**

   THAT the agenda be adopted.

   CARRIED

4. **Adopt Governance & Services Committee meeting minutes of October 10, 2013**

   **#54/13 OPHUS/BAKER**

   THAT the Governance & Services Committee meeting minutes of October 10, 2013 be adopted.

   CARRIED
5. Community Services

Planning:

5.1 Update on the Marijuana for Medical Purposes Regulations (MMPR) and Implications Regarding District Bylaws

Staff report dated November 4, 2013 outlined the background of the Federal governments enacted Marijuana for Medical Purposes Regulations (MMPR) for prescription, production and distribution of medical marijuana in Canada. The new regulations came into force on June 19, 2013 replacing the previous medical access regulations. Local governments are now faced with impacts to their regulations as it is expected a number of applications will be received for these new businesses. The approaches will be varied across the province depending upon the type of setting of a local government (ie: rural vs urban). Staff provided options for consideration including the potential for amendments to the zoning bylaws.

Three official notices for medical marijuana have been received by staff—two in Electoral Area West and one in the Electoral Area East.

Director Zimmermann arrived at 8:37 a.m.

Staff reviewed the regulations proposed by the Federal government. It was noted that local governments cannot prohibit the use of a medical marijuana business. The Agricultural Land Commission notes it is considered a farm use—it can be regulated, but not prohibited.

Options for moving forward were presented: status quo with current zoning or proceed with changes to the zoning bylaw to intensive agriculture. Staff is recommending the latter option. The following will be required: a business license; building permit; development permit may be required; and consultation with Agricultural Land Commission (ALC) to determine if the operation falls within the agricultural use.

The question was raised whether applicants get approved prior to changes proposed? Yes, that is why staff recommends moving forward. If Health Canada issues a license before regulations are approved, the RDCO could end up with legal non-conforming uses.

- Will there be any provision for adequate services for the facilities. It will be up to the local government to have the applicant prove services required. The subdivision bylaw would not necessarily apply.
- Who is liable if a contaminated water source occurs? Due to that concern as we move forward with bylaw amendments staff will include referrals to Health Canada, IHA, and provincial ministries to ensure concerns are captured.
- Staff noted that Health Canada advised that there is officially no cap on the number of licenses being issued or geographic restriction. Health Canada will be putting out a comprehensive fact sheet within the next few weeks. License for these operations will not be issued until a building is complete and meets all the Federal requirements as well as local requirements. By
December 2013 Health Canada will issue which licenses may be currently issued.

- Lake Country and West Kelowna are zoning facilities in industrial areas. With the ALC ruling this may be challenged. Peachland is zoning within the ALR. Kelowna has not made a decision at this point.
- Concern may be odor issue for the facilities—will Health Canada provide regulations with this? Staff noted that the ALC Executive Director has toured a facility developed with the new regulations in place and they were not aware of what was being grown in the facility until they walked into the facility and saw the plants.
- The question is who will enforce the standard of a facility—this is not known at this time.
- The RCMP has been officially notified of the two potential sites—one in West Kelowna and one in Central Okanagan West.
- Within the RDCO there are very few industrial or commercial zoned properties.

EDGSON/BAKER

THAT the Governance & Services Committee recommends that the Regional Board receive for information the Update on the Marijuana for Medical Purposes Regulations and Implications Regarding District Bylaws report of November 4, 2013;

AND FURTHER THAT staff be directed to proceed with an amendment to the electoral area zoning bylaws to permit medical marijuana grow operations as a form of “intensive agriculture”.

CARRIED

6. Financial & Administrative Services

6.1 2014 - 2018 Budget Process Update (for information only)

Staff report dated November 5, 2013 outlined the budget process for 2014-2018. The final budget will be approved at a March 28, 2014 meeting.

OPHUS/EDGSON

THAT the 2014-2018 budget process update be received for information.

CARRIED
7. Adjourn to a Regular Board Meeting

There being no further business the meeting was adjourned at 9:25 a.m.

CERTIFIED TO BE TRUE AND CORRECT

R. Hobson (Chair)

B. Reardon (Director of Corporate Services)