

## Greene, Pauline AGRI:EX

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**From:** Zabek, Chris AGRI:EX  
**Sent:** Friday, March 13, 2015 12:07 PM  
**To:** Schmidt, Orlando AGRI:EX; Bartle, Gregory AGRI:EX  
**Subject:** FW: MM in Maple Ridge - info

Hi guys, just an fyi.

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**From:** Zabek, Chris AGRI:EX  
**Sent:** Friday, March 13, 2015 12:02 PM  
**To:** Fox, Alison AGRI:EX; Lennox, Brenda AGRI:EX  
**Subject:** MM in Maple Ridge - info

Hi ladies,

FYI only, no action needed.

I had a call from Maple Ridge staff concerning the medical marihuana production facility that <sup>s.22</sup> contacted the MO about. Some citizens want Maple Ridge to prevent the owner from going forward on the grounds that the facility could potentially draw too much groundwater thus jeopardizing other area wells in what they consider to be an essentially residential area. <sup>s.13,s.16</sup>  
<sup>s.13,s.16</sup>

I responded that, in my opinion, drilling and operating a well to support a farm operation is a common and accepted practice but that regulating the amount of withdrawal is not something the FPPA has been tested with. We then discussed the essentially unregulated approach to groundwater usage under the current Water Act as well as the upcoming Water Sustainability Act that is expected to introduce greater groundwater regulation.

Best,  
Chris

## Greene, Pauline AGRI:EX

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**From:** Zabek, Chris AGRI:EX  
**Sent:** Friday, May 29, 2015 4:19 PM  
**To:** Bartle, Gregory AGRI:EX  
**Subject:** MM - feedback update

Hi Greg,

I'm thankful that my phone has been quieter than I expected recently. There is still neighbourhood discontent about facility being built in Whonnock area of Maple Ridge, some of which is based on groundwater quantity concerns. At the AAC meeting last night I provided an overview of ALC & AGRI position and clarified that groundwater withdrawal is currently unregulated. Also indicated that we would not be in favor of a LG trying to prohibit any intensive ag use in the ALR despite neighbour concerns about groundwater supply. s.13

This week I also spoke with and provided the May newsrelease to a Langley citizen who wishes to become a MM producer in the ALR.

Hope your life hasn't been too crazy.

Best,  
Chris

## Greene, Pauline AGRI:EX

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**From:** Zabek, Chris AGRI:EX  
**Sent:** Wednesday, October 28, 2015 8:41 AM  
**To:** Bartle, Gregory AGRI:EX  
**Subject:** RE: MM letter

Thanks Gregory.

Chris Zabek | Regional Agrologist  
p: 604-556-3045

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**From:** Bartle, Gregory AGRI:EX  
**Sent:** Wednesday, October 28, 2015 8:13 AM  
**To:** Zabek, Chris AGRI:EX  
**Subject:** RE: MM letter

Hi Chris,

I've attached a copy of the sample letter in the mail addressed to BC's CAOs. Also, here's the hyperlink to the new webpage on the Bylaw Standard and BC information bulletin:

<http://www2.gov.bc.ca/gov/topic.page?id=9D07864B66FC4D29A441B0AD24695BD7>

Cheers,

Gregory

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**From:** Zabek, Chris AGRI:EX  
**Sent:** Tuesday, October 27, 2015 4:07 PM  
**To:** Bartle, Gregory AGRI:EX  
**Subject:** MM letter

Hi Gregory,

Can you send me a copy of the MM letter which went to Maple Ridge (and other LGs) earlier this year to strongly encourage them to become consistent with the standard by early fall?

Thanks,  
Chris

Chris Zabek | Regional Agrologist  
BC Ministry of Agriculture | p: 604-556-3045 | f: 604-556-3030  
1-888-221-7141 [www.gov.bc.ca/agriservicebc](http://www.gov.bc.ca/agriservicebc)

**Greene, Pauline AGRI:EX**

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**From:** Zabek, Chris AGRI:EX  
**Sent:** Monday, January 8, 2018 5:17 PM  
**To:** 'Chee Chan'; Fox, Alison AGRI:EX  
**Cc:** Mark, Kamelli ALC:EX

Hi Chee,

Thank you for this. In addition to supporting Kamelli's good input I've provided some comments below including feedback on the questions you asked.

s.13

As a general note, AGRI staff are not supportive of zoning setbacks based on numbers/density of livestock. Adequate setbacks coupled with maximum lot coverage and adherence to normal farm practices can be used to address nuisance concerns regardless of farm size and animal numbers. The corollary is that no regulatory tool existing will prevent all complaints all of the time.

Thanks again. If you have any questions, don't hesitate to contact me.

Best,  
Chris

Chris Zabek | Regional Agrologist  
p: 604-556-3045

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**From:** Chee Chan [mailto:cchan@mapleridge.ca]  
**Sent:** Monday, January 8, 2018 10:16 AM  
**To:** Fox, Alison AGRI:EX; Zabek, Chris AGRI:EX  
s.12,s.13,s.16

Page 06 to/à Page 07

Withheld pursuant to/removed as

s.12;s.16;s.13



## Greene, Pauline AGRI:EX

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**From:** van Dalfsen, Bert AGRI:EX  
**Sent:** Wednesday, July 2, 2014 12:00 PM  
**To:** AGRI Team Agrologists; Fox, Alison AGRI:EX; Bartle, Gregory AGRI:EX; Tegart, Greg AGRI:EX; Schmidt, Orlando AGRI:EX  
**Cc:** Thompson, Grant AGRI:EX  
**Subject:** RE: Media Release  
**Attachments:** Sample of Signed 155838\_MM Letters to LG.pdf

Good morning,

For your information...

Here is a copy of the letter sent to all local governments about medical marihuana (the copy is for the City of Vancouver). The four regulated local governments got separate letters.

Regards,

Bert

PS Please note the CLIFF number is not of our Ministry but Community Sport and Cultural Development.

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**From:** van Dalfsen, Bert AGRI:EX  
**Sent:** Tuesday, June 24, 2014 10:20 AM  
**To:** AGRI Team Agrologists; Fox, Alison AGRI:EX; Bartle, Gregory AGRI:EX; Tegart, Greg AGRI:EX; Schmidt, Orlando AGRI:EX  
**Cc:** Thompson, Grant AGRI:EX  
**Subject:** FW: Media Release

Good morning,

Here is a link to the medical marihuana news release.

<http://www.newsroom.gov.bc.ca/2014/06/bc-preserves-local-governments-tax-revenues-from-medical-marijuana-growers.html>

Regards,

Bert

### Bert van Dalfsen, PEng

Manager, Strengthening Farming Program  
Innovation and Adaptation Services Branch  
British Columbia Ministry of Agriculture  
1767 Angus Campbell Road  
Abbotsford, BC  
Canada V3G 2M3

Phone 604 556-3109

Fax 604 556-3099

[bert.vandalfsen@gov.bc.ca](mailto:bert.vandalfsen@gov.bc.ca)





June 26, 2014

Ref: 155838

His Worship Mayor Gregor Robertson  
City of Vancouver  
453 West 12th Avenue  
Vancouver, BC V5Y 1V4

Dear Mayor Robertson:

We are writing in our capacities as Minister of Community, Sport and Cultural Development and Minister of Agriculture, regarding issues relating to medical marihuana production in British Columbia.

Many local governments have expressed concern regarding the potential establishment of medical marihuana production facilities in our communities, under the new federal regulations. Some local governments and stakeholders have written expressing an array of concerns, the most common messages concerning the exclusion of these facilities from qualifying for provincial farm class and if they would be considered an allowable farm use.

These concerns have been taken seriously and we understand that the establishment of these facilities within your communities will have a potential impact on services and costs. We brought your concerns to the attention of Honourable Christy Clark, Premier, and our Cabinet colleagues in the context of a larger discussion about medical marihuana production in the province.

After careful consideration, we are pleased to inform you that the Province of British Columbia has made a decision to implement a regulatory change that excludes medical marihuana, and any other federally regulated narcotic, from being eligible for farm classification for property assessment and tax purposes. This decision to treat medical marihuana as a restricted narcotic substance and a pharmaceutical is also consistent with the Province of Alberta. This change will apply to facilities located on both Agricultural Land Reserve (ALR) and non ALR lands.

In addition, please be advised that the Province will continue to view medical marihuana production facilities as an allowable farm use on ALR lands. The Ministry of Agriculture's policy position is that local governments should not prohibit medical marihuana production in the ALR. Any local government that has passed or is considering bylaws that address the issue of medical marihuana production within its boundaries may wish to seek legal counsel, as enacting such a bylaw may give rise to a constitutional challenge as frustrating a lawful initiative of the federal government. This is consistent with the position of the Agricultural Land Commission's updated Information Bulletin from January 2014 ([http://www.alc.gov.bc.ca/publications/ALC\\_Info\\_Bulletin\\_Marihuana\\_Amended\\_Jan\\_2014.pdf](http://www.alc.gov.bc.ca/publications/ALC_Info_Bulletin_Marihuana_Amended_Jan_2014.pdf)).

.../2

Ministry of Community, Sport  
and Cultural Development

Office of the Minister

Mailing Address:  
PO Box 9056 Stn Prov Govt  
Victoria BC V8W 9E2  
Phone: 250 387-2283  
Fax: 250 387-4312

Location:  
Room 124  
Parliament Buildings  
Victoria BC V8V 1X4

[www.gov.bc.ca/cscd](http://www.gov.bc.ca/cscd)

His Worship Mayor Gregor Robertson  
Page 2

Any applicant for a license must comply with all federal requirements including security and building standards, as well as local bylaws regulating site-specific requirements.

Consistent with British Columbia government policy, the Minister of Agriculture does not intend to approve any bylaw that would prohibit the production of medical marihuana in the ALR.

The Ministry of Agriculture will, however, offer guidance to local governments on the degree in which one of their farm bylaws could regulate medical marihuana production in the ALR through a Minister's Bylaw Standard specific to the production of medical marihuana on ALR land and will involve local governments in the development of those standards.

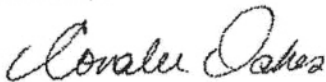
Minister's Bylaw Standards establish standards for the guidance of local government in the preparation of various bylaws affecting agriculture. Examples of current Minister's Bylaw Standards include:

- o Building setbacks from lot lines
- o Maximum lot coverage
- o Maximum building heights

More information about Minister's Bylaw Standards is available on the Ministry of Agriculture's website at: [www.al.gov.bc.ca/resmgmt/sf/guide to bylaw development/Guide to ByLaw Dev index.htm](http://www.al.gov.bc.ca/resmgmt/sf/guide%20to%20bylaw%20development/Guide%20to%20ByLaw%20Dev%20index.htm).

Overall, we believe this decision reflects a balanced approach, which considers the interests of the federally licensed facility operators, the interests of the agricultural sector and the purpose of the Agricultural Land Reserve, and the concerns of local governments and communities. Also, enclosed for your reference are the Information Bulletin and Backgrounder (see: <http://www.newsroom.gov.bc.ca/2014/06/bc-preserves-local-governments-tax-revenues-from-medical-marijuana-growers.html>).

Sincerely,



Coralee Oakes  
Minister of Community, Sport  
and Cultural Development



Norm Letnick  
Minister of Agriculture

Enclosures

pc: Honourable Suzanne Anton, MLA, Vancouver-Fraserview  
Honourable Andrew Wilkinson, MLA, Vancouver-Quilchena  
Mr. Sam Sullivan, MLA, Vancouver-False Creek  
Dr. Moira Stilwell, MLA, Vancouver-Langara

## Greene, Pauline AGRI:EX

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**From:** Bartle, Gregory AGRI:EX  
**Sent:** Wednesday, October 28, 2015 8:13 AM  
**To:** Zabek, Chris AGRI:EX  
**Subject:** RE: MM letter  
**Attachments:** 182047 LG MM PF Letter - General May 7 2015 FINAL.pdf

Hi Chris,

I've attached a copy of the sample letter in the mail addressed to BC's CAOs. Also, here's the hyperlink to the new webpage on the Bylaw Standard and BC information bulletin:

<http://www2.gov.bc.ca/gov/topic.page?id=9D07864B66FC4D29A441B0AD24695BD7>

Cheers,

Gregory

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**To:** Bartle, Gregory AGRI:EX  
**Subject:** MM letter

Hi Gregory,

Can you send me a copy of the MM letter which went to Maple Ridge (and other LGs) earlier this year to strongly encourage them to become consistent with the standard by early fall?

Thanks,  
Chris

Chris Zabek | Regional Agrologist  
BC Ministry of Agriculture | p: 604-556-3045 | f: 604-556-3030  
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Ref: 182047  
File No.: 0280-20

May 7, 2015

[Name]  
[Local Government]  
[Address]

Dear [Chief Administrative Officer],

**Re: Regulatory Amendments Affecting the Production of Medical Marijuana on Agriculture Land Reserve**

As you may already be aware, on May 7, 2015, the Province announced two items relating to the Agricultural Land Reserve (ALR):

The first item is an amendment of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (171/2002) under the *Agricultural Land Commission Act*, (the Regulation). The Regulation now explicitly identifies medical marijuana as a farm use in the ALR which local governments can regulate, but not prohibit.

The second item is a new BC Minister's Bylaw Standard for medical marihuana production facilities (MMPF) located in the ALR and licensed by Health Canada under its Marihuana for Medical Purposes Regulations. Bylaw Standards approved by the Minister and their specific criteria are a part of the Ministry's 'Guide for Bylaw Development in Farming Areas' which can be found on the Ministry's website at [www.gov.bc.ca/agri](http://www.gov.bc.ca/agri). A discussion paper that provides further information and a description of the consultation process is also available on the website.

These two items are consistent with the Agricultural Land Commission's (ALC) January 2014 Medical Marihuana Production the Agricultural Land Reserve Information Bulletin<sup>1</sup> which states that the farming of medical marijuana in the ALR is considered by the ALC as a 'farm use', and the June 24, 2014 Provincial announcement<sup>2</sup> which advises that local governments should not prohibit medical marijuana production in the ALR and that for tax purposes, the BC Assessment Authority will not provide a MMPF with farm classification.

Some local government bylaw provisions for MMPFs may be inconsistent with the updated ALC Regulation and/or Minister's Bylaw Standard criteria regarding MMPFs in the ALR. To determine

<sup>1</sup><http://www.alc.gov.bc.ca/alc/DownloadAsset?assetId=28F687FC8AB640CFB33D46FB3F1B30EC>

<sup>2</sup><http://www.newsroom.gov.bc.ca/2014/06/bc-preserves-local-governments-tax-revenues-from-medical-marijuana-growers.html>

whether or not they are consistent, the Province's expectation is that local governments will review, and as necessary, amend their bylaws in order to achieve consistency by early fall of this year. I acknowledge the resources required to amend local government bylaws but I would appreciate your participation in this endeavor.

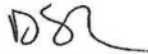
For those local governments that do not intend to make amendments to inconsistent bylaw provisions, or who are considering implementing a bylaw prohibiting medical marijuana, I would advise that they seek legal counsel, as enacting such a bylaw may give rise to a constitutional challenge as frustrating a lawful initiative of the federal government and such a bylaw may have no force and effect under section 46(4) of the *Agricultural Land Commission Act*.

Please contact your local Regional Agrologist, or contact the following number if you have any other questions on this topic or other Planning for Agriculture matters.

South Coast and Vancouver Island:

- [Agri.South.Coast@gov.bc.ca](mailto:Agri.South.Coast@gov.bc.ca)
- 1-888-221-7141

Regards,



Derek Sturko  
Deputy Minister

**Greene, Pauline AGRI:EX**

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**From:** Bartle, Gregory AGRI:EX  
**Sent:** Tuesday, June 16, 2015 2:05 PM  
**To:** Zabek, Chris AGRI:EX  
**Subject:** RE: MM - Maple Ridge

Hi Chris. Sounds good. Let's talk next Monday or Tuesday.

Gregory

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**From:** Zabek, Chris AGRI:EX  
**Sent:** Friday, June 12, 2015 11:36 AM  
**To:** Bartle, Gregory AGRI:EX  
**Cc:** Schmidt, Orlando AGRI:EX  
**Subject:** MM - Maple Ridge

Hi Greg,

As per my voicemail, Maple Ridge planning department has asked to meet with me to discuss what they would need to do to make their MM bylaw consistent with the Minister's standard, if they choose to go that route.

I've agreed to meet with them June 25 at 3:00.

s.22 I'd appreciate it if prior to the 25<sup>th</sup> we could both compare their bylaw with the Minister's standard and make the appropriate suggestions for consistency. I don't think they'll have to change too much.

I'll compare and contrast ours and theirs. If you get a chance to do the same please send me your thoughts prior to the 25<sup>th</sup>.

Thanks,  
Chris

## Greene, Pauline AGRI:EX

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**From:** Hughes, Janet MNGD:EX on behalf of Lennox, Brenda AGRI:EX  
**Sent:** Tuesday, July 14, 2015 7:51 AM  
**To:** 'fquinn@mapleridge.ca'  
**Cc:** Kline, Rob AGRI:EX  
**Subject:** Response Requested by July 28, 2015: Bylaw Consistent with the Minister's Bylaw Standard for Medical Marihuana

Frank Quinn  
A/Chief Administrative Officer  
City of Maple Ridge  
11995 Haney Place  
Maple Ridge BC V2X 6A9  
[fquinn@mapleridge.ca](mailto:fquinn@mapleridge.ca)

Dear Frank Quinn:

**Re: Bylaw Consistent with the Minister's Bylaw Standard for Medical Marihuana Production Facilities (MMPFs) on the Agricultural Land Reserve (ALR)**

I am following-up on Deputy Minister Derek Sturko's letter of May 7, 2015 and on the follow up telephone call made by staff on June 22, 2015.

As indicated in the previous correspondence, it is the Ministry of Agriculture's expectation that local governments will review, and as necessary, amend their bylaws in order to achieve consistency with the Minister's Bylaw Standard on Medical Marihuana Production Facilities by early fall of this year. I acknowledge the resources required to amend your bylaws, and appreciate your participation in this process.

The Ministry would appreciate receiving an update on the City of Maple Ridge's bylaw provisions for MMPFs to ensure they are consistent with the updated regulations to the *Agricultural Land Commission Act* and the Minister's Bylaw Standard regarding MMPFs in the ALR.

Would you please contact Rob Kline, Regional Agrologist ([Rob.Kline@gov.bc.ca](mailto:Rob.Kline@gov.bc.ca)/250 356-5861) about the extent of your progress by July 28, 2015 as to whether or not your bylaws are consistent with the Agricultural Land Commission regulations and the Minister's Bylaw Standard and, if they are not, your process for working towards that goal and when you intend to meet it. Please complete and forward the following table to Mr. Kline:

	Proposed Date of Completion
Discussion	
First Reading	
Second Reading	
Third Reading	
Adopted	

The summer months can be challenging for boards and councils but the Ministry anticipates most local governments are working towards ensuring consistency and appreciate your efforts.



Best regards,

Brenda Lennox,  
A/Manager Strengthening Farming  
BC Ministry of Agriculture

MINISTER OF AGRICULTURE  
TOUR OF Maple Ridge and Pitt Meadows  
October 28, 2013

Ref: 178708

Date: October 15, 2013

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Meeting with: Maple Ridge

Topic(s) of Discussion:

Medicinal Marihuana and its assigned farm tax classification.

Background:

Health Canada has proposed new Marihuana for Medical Purposes Regulations (MMPR). The new regulations will rely on licensed production facilities to grow and distribute marihuana to individuals with a prescription. It is expected that the current system will be phased out by April 14, 2014. In its place, new federal licenses are anticipated for larger scale production facilities.

Current Status:

Achieving a threshold income from farm operations may enable a property to attain Farm Class status under the *BC Assessment Act*. Farm Class status provides lower property taxes for land. To date, although medicinal plant culture is prescribed on the Primary Agricultural Production list for purposes of farm classification, growing medical marihuana has not qualified as income for Farm Class status as the federal license does not allow growers to charge directly for the product.

Recommended Response:

The determination as to whether licensed medical marihuana production qualifies for Farm Class under the *BC Assessment Act* is a matter for BC Assessment. BC Assessment is not likely to respond until after the new MMPR comes into force and a claim is made for Farm Class by a licensed medical marihuana producer.

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Contact: Gavin Last, Agrifoods Policy and Legislation Branch, 250 356-7640

DIR    AR                      ADM: \_\_\_\_\_                      DM: \_\_\_\_\_