

# APPENDIX E

## Cross-Jurisdictional Review of Food, Beverage and Cannabis Production Zoning Approaches

## A) Food and Beverage Production

### *City of Calgary*

- Zoning Bylaw has definitions for Urban Agriculture and Food Production (resulting from a 2017 amendment)
- “Food Production” accommodates indoor models of food production (including hydroponic, aquaponic, aeroponic, and aquaculture), as well as associated processing and packaging
- Food Production is a listed use in all Commercial and Mixed Use districts, as well as some City Centre districts
- Urban Agriculture is essentially outdoor cultivation in an urban environment. Urban Agriculture is allowed in multi-residential and commercial and mixed use districts as well as most Special and City Centre districts

### *City of Vancouver*

- Zoning and Development Bylaw has four land use definitions to manage the growing of food indoors and outdoors
- “Urban Farm-Class A/B” accommodates the use of land for the cultivation of fruits or vegetables for sale. Class A is small scale and integrated into existing residential neighbourhoods, while Class B may be larger-scale, take place in a structure, include soil or soilless methods, and can include on-site sales.
- Urban Farm-Class B is a listed use in 11 of the 12 Commercial districts and 14 of 15 Industrial districts
- “Food or Beverage Products Manufacturing-Class A/B” governs the manufacturing of animal feed or the manufacturing of food or beverage products (excepting bakery products, brewing or distilling, or dairy products). Class B is the more restrictive category and prohibits uses involving milling, refining, canning, processing or of animals or animal products.
- Food or Beverage Products Manufacturing - Class B is a listed use in a few Commercial districts and all Industrial districts. Class A is listed in three (of 15) Industrial districts.

### *City of Edmonton*

- Zoning Bylaw includes use definitions of “Urban Indoor Farms” and “Urban Outdoor Farms”.
- “Urban Indoor Farms” includes the cultivation and harvesting of plant and/or animal products primarily within enclosed buildings for the primary purpose of wholesale or retail sales. Accessory activities may include on-site sales, composting of plants grown on-site, outdoor storage, and food packaging and processing.
- “Urban Outdoor Farms” is differentiated from indoor by virtue of interim use on idle or underutilized land; unenclosed structures are allowed. These are classified as an Agricultural use.
- Both uses are differentiated from Livestock Operations, Rural Farms, Recreational Acreage Farms, Urban Outdoor Farms, Urban Gardens or the cultivation or growth of cannabis.
- Urban Indoor Farms are a permitted use in two (of four) Industrial zones and a discretionary use in most Industrial and Commercial zones. Urban Outdoor Farms are a permitted use in the Agricultural zone and otherwise a discretionary use in most Industrial and Commercial zones.
- Food packaging and processing not associated with on-site growing or direct sale to the public would be included under the General Industrial Use and is permitted in all Industrial zones (with Heavy Industrial zone eligibility involving land requirements, nuisance, or hazardous materials) but not in Commercial zones.

### *City of Victoria*

- Zoning Bylaw includes definition for “Small Scale Commercial Urban Food Production” as: (a) cultivating and harvesting plants or fungi; (b) beekeeping and harvesting honey; (c) keeping poultry to collect eggs; and (d) sorting, cleaning and packaging the items noted above for retail purposes, as well as selling and storing harvested products on the premises.
- Small Scale Commercial Urban Food Production is a listed and permitted use in all districts in the city. Sales are permitted on a lot where SSCUA happens, whether or not retail is permitted,

provided it occurs within a food stand (defined by size, setbacks, enclosure, duration of time, etc.). Any plants regulated under the Controlled Drug and Substances Act may not be produced.

#### *City of Kelowna*

- Zoning Bylaw has numerous use definitions relating to food production and sales. “Urban Agriculture” is cultivation of plants for human consumption; limited to production activities. “Market Agriculture” means onsite promotion, exhibition, production and/or sale of agricultural products to the public and is typically associated with small to mid scale production of fruits, vegetables, nuts and animal husbandry.
- “On-Farm Processing” refers to all processes associated with processing on a farm unit.
- “General Industrial Use” includes processing of raw materials and manufacturing/assembly of finished goods but not food products directly to the public.
- “Custom Indoor Manufacturing” is defined as being small-scale, on-site indoor production of goods primarily by hand with fewer than 5 employees.
- Urban Agriculture is a principal use in Residential Urban zones, secondary use in Commercial zones, and secondary use in all but one Industrial zone.
- On-Farm Processing is a secondary use in the Agriculture zone.
- General Industrial Use is a principal use in five (of six) Industrial zones.
- Custom Indoor Manufacturing is a secondary use in one Commercial zone and four Industrial zones.

#### *City of Nelson*

- There are no specific provisions or definitions around urban agricultural production.
- Zoning Bylaw includes use definitions for “Custom Indoor Manufacturing”, which pertains to small-scale on-site production of goods primarily by hand.
- Custom Indoor Manufacturing is a permitted use in three (of six) Mixed Use zones, three (of 5) Commercial zones and several Comprehensive Development zones. The use is excluded from Industrial zones.

#### *City of Sooke*

- There are no specific definitions around urban agricultural production. However, there is a Small Scale Agriculture zone with minimum 4 hectare lot size. “Horticulture” is a principal use in Neighbourhood Rural Residential, Large Lot Residential (i.e. sewer serviced), Medium Lot Residential, Small Lot Residential, Technical Industrial Business Park.
- Horticulture is are principal uses in Neighbourhood Commercial, General Commercial, Commercial Recreation, and Town Centre Mixed Use. Only Micro Breweries are principal uses in Service Commercial. The only Industrial zone where the uses are permitted is Technical Industrial Business Park.
- “Slaughterhouse” is defined and allowed as a principal use in the Heavy Industrial zone.
- “Food Processing” and “Commercial Kitchens” are defined and allowed as principal uses in Light Industrial.
- There is an Aquatic Industrial zone that allows for aquaculture and associated processing operations as principal uses and on-site sales as an accessory use.

## **B) Breweries and Distilleries**

#### *City of Calgary*

- “Brewery, Winery and Distillery” is a defined use and allows for retail and lounge functions
- Is a permitted use in most Commercial and Industrial districts, as well as City Centre and Mixed Use districts

#### *City of Vancouver*

- “Brewing or Distilling” is a defined use and relates strictly to alcoholic content of products, versus volume. Lounge function not included in definition

- Is a permitted use in most Commercial and Industrial districts, as well as City Centre and Mixed Use districts

#### *City of Edmonton*

- “Breweries, Wineries, Distilleries” is a defined Industrial use and food and retail functions are included
- Use is permitted in three (of four) Industrial zones and discretionary in five (of seven) Commercial zones

#### *City of Victoria*

- “Breweries” are a permitted use in core Downtown zones and do not have to be combined with a food or beverage service or retail component. There are several Brew Pub districts located throughout the city.
- Also a permitted use in some Industrial districts. There is a Heavy Industrial and Brew Pub district that allows for brew pub and retail operations associated with a brewery.

#### *City of Kelowna*

- “Breweries and Distilleries” are classified as Major or Minor – Minor meaning that all processes must be contained indoors and the manufacturing area is capped at 275 m<sup>2</sup>. There is a “Market Brewery and Distillery” use where British Columbia ingredients must be given priority.
- Breweries – Minor are a principal use in six and secondary use in one (of 12) Commercial zones and a principal use in three (of six) Industrial zones. Breweries – Major are a principal use in three (of six) Industrial zones.

#### *City of Nelson*

- “Craft Brewery/Distillery” limits public tasting and retail to products produced on site, with all functions needing to be contained indoors, and total manufacturing area limited to 275 m<sup>2</sup>.
- Craft Brewery/Distillery are permitted uses in one Mixed Use zone, three (of six) Commercial zones, and one Comprehensive Development zone. The use is excluded from Industrial zones.

#### *City of Sooke*

- There are a specific “Brew Pub” and “Micro Brewery” definitions.
- Brew Pubs and Micro Breweries are principal uses in Neighbourhood Commercial, General Commercial, Commercial Recreation, and Town Centre Mixed Use. Only Micro Breweries are principal uses in Service Commercial. The only Industrial zone where the uses are permitted is Technical Industrial Business Park. Industrial lots located outside of the sewer serviced area must be a minimum of 1 hectare.

### C) Cannabis Production

#### *City of Calgary*

- Cannabis Facility include growing, processing, storage and distribution.
- Limited to the Industrial-General district of Calgary
- Cannabis Retail is a listed use in most Commercial districts and is allowed in Industrial-General in conjunction with a Facility

#### *City of Vancouver*

- “Cannabis Retail Stores” have outright approval in one (of 13) Commercial districts, and conditional approval in 11. Retail is not a listed use in Industrial zones.
- No specific provisions for cannabis production in the Zoning Bylaw. (Presumably these needs are being met in the Agricultural Land Reserve under provincial regulation). Make note about controversy here

#### ***City of Edmonton***

- A “Cannabis Production and Distribution” use is classified as a General Industrial Use and is permitted in all Industrial zones (subject to special requirements for Heavy Industrial zone eligibility). The use is not permitted in any Commercial zones.
- Cannabis Retail is a permitted use in almost all Commercial Zones and one Industrial zone (Industrial/Business).

#### ***City of Victoria***

- There is a Heavy Industrial (Cannabis) District that allows for retail as an accessory use for products manufactured, etc. on site as the primary use.
- There appears to be no specific provisions for production in the Zoning Regulation Bylaw.

#### ***City of Kelowna***

- Cannabis retail sales are permitted in the Retail Cannabis Subzone – effectively a principal use in seven Commercial zones, secondary use in two Commercial zones and three Industrial zones.
- “Cannabis Production Facilities” are a principal use in four (of six) Industrial zones.

#### ***City of Nelson***

- “Cannabis Operation” is defined in the Zoning Bylaw but is not a listed use in any zone.
- “Cannabis Retail” is permitted in half of Mixed Use zones, half of Commercial zones, and one Comprehensive Development zone.

#### ***City of Sooke***

- Cannabis production is defined as either “micro” (less than 200 m<sup>2</sup> of area and processing of less than 600 kg of dried flower) or “standard” (all other licensed production)
- “Micro” is permitted in Light, Medium, and Heavy Industrial zones whereas “Standard” is limited to Medium and Heavy zones.