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**REGIONAL DISTRICT OF BULKLEY-NECHAKO
COMMITTEE OF THE WHOLE
AGENDA**

Thursday, April 5, 2018

PAGE NO.

ACTION

CALL TO ORDER

SUPPLEMENTARY AGENDA

Receive

AGENDA – April 5, 2018

Approve

MINUTES

3-7

**Committee of the Whole Meeting
Minutes – March 8, 2018**

Receive

8-10

**Nechako Watershed Service Meeting Minutes
- March 8, 2018**

Receive

DELEGATION

**BC Search and Rescue Association
Chris Mushumanski and Any Muma
RE: Evacuation Issues**

REPORTS

11-17

**John Illes, Chief Financial Officer
- Director Remuneration**

Recommendation
(Page 17)

18-47

**Jason Llewellyn, Director of Planning
- Cannabis Legalization**

Receive

CORRESPONDENCE

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**Northern Health – Northern Healthy Communities
Forum – Response to Request for Time Change**

Receive

49-50

**Northern Health – Apply Now! IMAGINE
Community Grants of up to \$5,000 Available
to Community Groups, Schools, and other Partners**

Receive

51-52

**Federation of Canadian Municipalities
- Apply to the Low Carbon Economy Challenge**

Receive

SUPPLEMENTARY AGENDA

NEW BUSINESS

a

IN-CAMERA MOTION

In accordance with Section 90 of the *Community Charter*, it is the opinion of the Board of Directors that matters pertaining to Sections 90 (1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for the purpose (Home Occupation at Gala Bay Road) and 90 (2)(b) matters pertaining to the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party (Information Technology Services) must be closed to the public therefore exercise their option of excluding the public for this meeting.

ADJOURNMENT

REGIONAL DISTRICT OF BULKLEY-NECHAKO

COMMITTEE OF THE WHOLE MEETING

Thursday, March 8, 2018

- PRESENT:** Chairperson Bill Miller
- Directors Chris Beach
Eileen Benedict
Shane Brienen
Mark Fisher
Tom Greenaway
Dwayne Lindstrom
Rob MacDougall
Rob Newell
Mark Parker
Jerry Petersen
Darcy Repen
Gerry Thiessen
- Directors Absent Taylor Bachrach, Town of Smithers
Thomas Liversidge, Village of Granisle
- Alternate Director Linda McGuire, Village of Granisle
- Staff Melany de Weerd, Chief Administrative Officer
Cheryl Anderson, Manager of Administrative Services
Janette Derksen, Deputy Director of Environmental Services
Debbie Evans, Agriculture Coordinator
John Illes, Chief Financial Officer
Jason Llewellyn, Director of Planning – arrived at 11:06 a.m.
Rory McKenzie, Director of Environmental Services
Corrine Swenson, Manager of Regional Economic Development
Wendy Wainwright, Executive Assistant

CALL TO ORDER

Chair Miller called the meeting to order at 11:03 a.m.

AGENDA & SUPPLEMENTARY AGENDA

Moved by Director Petersen
Seconded by Director Greenaway

C.W.2018-2-1

“That the Agenda of the Regional District of Bulkley-Nechako Committee of the Whole meeting of March 8, 2018 be approved; and further, that the Supplementary Agenda be dealt with at this meeting.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

MINUTES

Committee of the Whole Minutes – January 11, 2018

Moved by Director Newell
Seconded by Alternate Director McGuire

C.W.2018-2-2

“That the Committee of the Whole meeting minutes of January 11, 2018 be received.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

REPORTS

Business Façade Program

Moved by Director Benedict
Seconded by Director Fisher

C.W.2018-2-3

“That the Committee of the Whole recommend to the Regional District of Bulkley-Nechako Board of Directors that the Business Façade Improvement Program Guidelines be approved.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Director Repen spoke of challenges of small communities utilizing the Business Façade funding program one year and having minimal uptake the next year to access the potential funding. He suggested that finding creative solutions for small communities to continue to access the Business Façade funding for attraction purposes would be beneficial for small communities.

Vanderhoof Transfer Station Recycling Contract Negotiations with Recycle BC -Follow Up Report

Moved by Director Thiessen
Seconded by Director Petersen

C.W.2018-2-4

1. “That the Committee of the Whole receive the Director of Environmental Service’s February 26, 2018 memo titled “Vanderhoof Transfer Station Recycling Contract Negotiations with Recycle BC – Follow Up Report.”
2. “That the Committee of the Whole recommend that the RDBN Board of Directors direct staff to enter into a recycling depot contract with Recycle BC for the depot service at the Vanderhoof Transfer Station.”
3. “That the Committee of the Whole recommend that the RDBN Board of Directors approve operational and staffing changes to provide a small scale recycling depot that provides full operational coverage in accordance to the requirements of the Recycle BC contract.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Rory McKenzie, Director of Environmental Services provided an overview of his memo titled “Vanderhoof Transfer Station Recycling Contract Negotiations with Recycle BC – Follow Up Report.” The Recycle BC contract is a five year contract. Mr. McKenzie mentioned that Recycle BC has requested that the RDBN submit a Letter of Intent by September 2018 to outline a “wish list” of Recycle BC facilities within the RDBN. Staff will bring forward the Letter of Intent to a future RDBN meeting for review. Recycle BC’s funding is managed by the stewards of the association and is impacted by the world commodity markets.

Director Thiessen thanked staff for their assistance in developing recycling options for Vanderhoof and area. He has also received a number of positive comments from his community.

Discussion took place regarding recycling service levels in Fraser Lake and the challenges in regard to space to store products.

REPORTS (CONT'D)

SWOT Update

Moved by Director Newell
Seconded by Director Fisher

C.W.2018-2-5

"That the Committee of the Whole receive the Manager of Regional Economic Development's February 26, 2018 memo titled "SWOT Update."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

CORRESPONDENCE & INVITATIONS

Correspondence

Moved by Director Brienen
Seconded by Director Beach

C.W.2018-2-6

"That the Committee of the Whole receive the following correspondence and invitations:

- BC Assessment – Assessment Initiatives & Emerging Issues – February 2018;
- Trans Canada Yellowhead Highway Association
 - Call for Resolutions 2018 AGM;
- Federation of Canadian Municipalities – Federal Budget 2018: Highlights;

INVITATIONS

- Northern Healthy Communities Forum 2018 - May 7, 2018
 - Fort Nelson, B.C.;
- Trans Canada Yellowhead Highway Association Annual General Meeting – April 6, 2018– Edmonton, AB."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Director Petersen mentioned that the Yellowhead Highway Association is accepting resolutions for the Annual General Meeting April 6, 2018 in Edmonton, AB." Concerns were brought forward regarding the following issues:

- Turn off at Stella West Road and Highway 16 - Fraser Lake area/Stellat'en First Nation
- Intersection at Chowsunket St. and Highway 16 – Village of Fraser Lake
- Cross walk needed at Silversmith Avenue and Pine Street - Vanderhoof
- Street lighting costs in Telkwa.

Director Repen provided the following suggested wording for a resolution to the Yellowhead Highway Association:

WHEREAS Highway 16 creates a significant hazard where it passes through populated areas and incorporated communities; AND WHEREAS those communities incur significant costs and impacts to their residents due to the Highway 16 corridor passing through those communities;

b

CORRESPONDENCE & INVITATIONS (CONT'D)

THEREFORE BE IT RESOLVED that Provincial and Federal Governments support those communities financially to offset those hazards and support those communities for necessary safety infrastructure on Highway 16.

Staff will draft a resolution for RDBN Board review at the March 15, 2018 Regional Board Meeting. Discussion took place in regard to sending a copy of the resolution to John Rustad, MLA Nechako Lakes, Doug Donaldson, MLA Stikine and the Minister of Transportation and Infrastructure.

Northern Healthy Communities Forum 2018 - May 7, 2018 -Fort Nelson, B.C.

Discussion took place in regard to the challenges for the Stuart-Nechako Regional Hospital District and Northwest Regional Hospital District Board of Directors to attend the Northern Health Communities Forum – May 7, 2018 in Fort Nelson, B.C. due to booked flight arrival times.

Northern Healthy Communities Forum 2018 - May 7, 2018 - Fort Nelson, B.C.

Moved by Director Fisher
Seconded by Alternate Director McGuire

C.W.2018-2-7

“That the Committee of the Whole recommend that the Regional District of Bulkley-Nechako Board of Directors write a letter to Northern Health requesting that the time be changed from a 9:00 a.m. start time to a later time in the day for its Northern Healthy Communities Forum 2018 meeting May 7, 2018 in Fort Nelson, B.C. during the North Central Local Government Association Convention to accommodate NCLGA members confirmed flight arrival times.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

SUPPLEMENTARY AGENDA

REPORT

Smithers/Telkwa Transfer Station Recycling Contract Negotiations with Recycle BC -Follow Up Report

Moved by Director Repen
Seconded by Alternate Director McGuire

C.W.2018-2-8

1. “That the Committee of the Whole receive the Director of Environmental Services’ March 6, 2018 memo titled “Smithers/Telkwa Transfer Station Recycling Contract Negotiations with Recycle BC – Follow Up Report.”
2. “That the Committee of the Whole recommend that the RDBN Board of Directors direct staff to enter into a recycling depot contract with Recycle BC for the depot service at the Smithers/Telkwa Transfer Station.”
3. “That the Committee of the Whole recommend that the RDBN Board of Directors approve operational and staffing changes to provide a small scale recycling depot that provides full operational coverage in accordance to the requirements of the Recycle BC contract.”

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SUPPLEMENTARY AGENDA (CONT'D)

REPORT (CONT'D)

4. The Committee of the Whole recommend that the RDBN Board of Directors direct staff to write a press release, once details are finalized, in regard to small scale recycling at the Smithers/Telkwa Area Transfer Station and Vanderhoof Transfer Station."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Federal Gas Tax Funds
-Electoral Area "A"
(Smithers Rural) Smithers
Telkwa Transfer Station

Moved by Director Petersen
Seconded by Director Fisher

C.W.2018-2-9

1. "That the Committee of the Whole recommend that the Regional District of Bulkley-Nechako Board of Directors authorize contributing up to \$30,000 (plus recoverable GST) of Electoral Area "F" Federal Gas Tax allocation monies and up to \$30,000 (plus recoverable GST) of Electoral Area "A" Federal Gas Tax allocation monies for the purchase and set up of two recycle depots to be located one each at the Vanderhoof Transfer Station and the Smithers/Telkwa Transfer Station, and further,

(All/Directors/Majority)

CARRIED UNANIMOUSLY

2. That the Committee of the Whole recommend that the Regional District of Bulkley-Nechako Board of Directors authorize the withdrawal of up to \$60,000 from the Federal Gas Tax Reserve Fund."

(Participants/Weighted/Majority)

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by Director MacDougall
Seconded by Alternate Director McGuire

C.W.2018-2-10

"That the meeting be adjourned at 11:47 a.m."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Bill Miller, Chair

Wendy Wainwright, Executive Assistant

REGIONAL DISTRICT OF BULKLEY-NECHAKO**Nechako Watershed Service Meeting****Thursday, March 8, 2018**

Attendees:

Directors	Chris Beach Eileen Benedict Tom Greenaway Dwayne Lindstrom Bill Miller Mark Parker Jerry Petersen Gerry Thiessen
Staff	Melany de Weerd, Chief Administrative Officer Cheryl Anderson, Manager of Administrative Services John Illes, Chief Financial Officer – arrived at 2:03 p.m. Jason Llewellyn, Director of Planning – arrived at 2:06 p.m. Wendy Wainwright, Executive Assistant

Call to order at 2:00 p.m.

DISCUSSION**FRASER BASIN COUNCIL – Request for Funding/Service Establishment Nechako Watershed Roundtable**

- Two Funding Asks
 1. \$1,700 from each Electoral Area and Municipality within the Nechako Watershed from the Regional District of Fraser-Fort George and Regional District of Bulkley-Nechako
 - Immediate funding
 2. Create a service establishment - \$70,000 per year shared between RFFFG and RDBN
 - Ongoing funding
 - Requires a referendum
 - Options for funding structure
 - Improvements only
 - Improvements and land only
- Village of Burns Lake has committed funding
 - Supportive
 - The information being gathered by the Nechako Watershed Roundtable could benefit:
 - Agriculture
 - Tourism
 - Wildlife
 - Water protection
 - More and more important moving forward

Director Greenaway provided an overview of the Nechako Watershed Roundtable

- Nechako Watershed Roundtable
 1. Non-government organization
 2. Established to protect and improve the health of the Nechako Watershed and its communities
 - Watershed Health
 - Nechako Watershed Roundtable is interested in all aspects of the watershed including the environment, rivers, streams, lakes, ground water, eco systems including the *Water Sustainability Act*
 - Recognizes a need for a planning process in the Nechako Watershed to address water use, water storage, water release and environment flows
 3. Nechako Watershed Roundtable strategy
 - Develop a strategy in 2016 to provide a framework for future projects moving forward

Director Greenaway spoke of the Nechako Watershed Roundtable being a group that brings all the interests of the Nechako watershed together. He mentioned that the Nechako Watershed Roundtable (NWR) intends to match funds from local governments from outside sources. Director Greenaway mentioned that the NWR wants to use the funds to hire staff to ensure they achieve outcomes. As the RDBN representative on the Fraser Basin Council Director Greenaway has toured lakes in the lower mainland and saw the damage that can happen. He noted the need to support the Nechako Watershed Roundtable initiatives in order to help protect the Nechako Watershed in the future. The NWR also has ties to the University of Northern B.C.

Director Petersen mentioned the need to determine the mandate and outcomes of the Nechako Watershed Roundtable. He spoke of the requirement for accountability.

Discussion took place in regard to providing a commitment for 2-5 years and to reevaluate the continuation of funding at the end of an agreed timeframe. The funding commitments of the City of Prince George and the two RDFFG Electoral Areas was discussed.

Director Benedict mentioned that along with Director Petersen, she was a member of the Nechako Watershed Council in the past and they gathered similar information and studies of the interests of the entire watershed from Kitimat to Prince George. Director Benedict brought forward concerns in regard to the Nechako Watershed Roundtable repeating information that has been gathered by the Nechako Watershed Council. She also raised concerns regarding residents that have been directly impacted from changes in the water levels in the Nechako Reservoir being asked to fund a service for the Nechako Watershed Roundtable. Director Benedict spoke of the need for the NWR to be more inclusive of the communities and First Nations within the watershed. Director Lindstrom noted that First Nations communities near Fraser Lake have also expressed concerns in regard to the Nechako Watershed Roundtable funding.

Director Parker mentioned that perhaps changing the name of the Nechako Watershed Roundtable would be helpful to better identify the Nechako Watershed Roundtable.

Discussion took place regarding the cost to the RDBN to conduct a referendum or alternative approval process. A referendum could be conducted at the same time as local government elections in October, 2018.

Melany de Weerd, CAO has spoken with RDFFG and they have confirmed an immediate commitment to the NWR request for grant in aid for one year. RDFFG is having similar discussions as the RDBN with its electoral area directors in consideration of a service. They are also considering the potential for collaborations moving forward.

The NWR's immediate ask is for grant in aid funding and its second ask is to discuss with RDBN staff a plan moving forward for future funding for the Nechako Watershed Roundtable. Discussion took place regarding the potential staff time for the NWR requests.

The Districts of Vanderhoof and Fort St. James, and the Village of Burns Lake have committed funding to the Nechako Watershed Roundtable. Director Lindstrom indicated that the Village of Fraser Lake had indicated support of the initiative and will confirm the amount committed. Discussion took place regarding the NWR being operational for three years to date and the future of the Roundtable if funding is not achieved.

Director Miller spoke of local governments being asked to take on responsibilities beyond their capacity and that the impact and responsibility of industry needs to be considered. Industry has impacted the health and welfare of the Nechako Watershed including forestry, agriculture, residents, etc. Frustrations were brought forward in regard to the funding provided to the Nechako Watershed to mitigate issues from industry.

Director Beach mentioned the importance of the work being completed by the NWR and the need for local input in the management of the Nechako Watershed. Discussion took place in regard to supporting the NWR ask of grant in aid funds in 2018. Directors Petersen, Parker, Greenaway and Miller will provide direction to staff in regard to the grant in aid funding amount they are willing to contribute. Director Benedict indicated she would consider contributing up to \$1,000 of grant in aid funds for 2018. Directors indicated their wish to not move forward with a referendum and directed staff to allocate minimal time to further discussions in regard to NWR funding.

Adjourned at 2:38 p.m.



Regional District of Bulkley-Nechako Committee of the Whole Agenda April 5, 2018

To: Chair Miller and Board of Directors
From: John Illes, Chief Financial Officer
Date: March 26, 2018
Re: Director Remuneration

Issue:

Recent changes to the Canadian Revenue Agency's *Income Tax Act* removes the municipal officers' allowance beginning with the 2019 calendar year. This will increase taxation for elected officials as compared to 2018 and prior years as during those years 1/3 of an elected official's remuneration was considered non-taxable.

The last substantial review of directors' remuneration for the Regional District happened with the adoption of Bylaw 1717 in 2014. Addressing the upcoming change to the municipal officers' allowance will provide an opportunity to review remuneration as a whole package.

Background:

The Province of British Columbia states that the purpose of Regional Districts are to:

- Provide the local government for electoral areas
- Provide the political and administrative framework necessary for member municipalities and electoral areas to collaborate in the provision of sub-regional services (examples include libraries, museums, TV rebroadcasting); and to
- Provide important regional services (examples include the transit service and the solid waste management service).

Electoral Area Directors are involved in all three of these stated purposes while the municipal directors are involved in the latter two. This memo is based on the following three principles:

- Directors should be fairly compensated for their involvement in the three purposes of a Regional District
- Directors should be fairly compensated for the time they spend on Regional District business; and
- Remuneration for these directors should be paid from those who receive the service.

Currently each Director receives a monthly allowance of \$702 paid from general government funds. In addition rural directors receive an additional \$435 plus an amount based on the population of the electoral area from rural government funds. Directors



receive a meeting allowance depending if the meeting is considered a ½ day or full day meeting.

In addition to the above costs, there are additional allowances for chair, vice chair, committee chair and cheque signer.

Directors also are reimbursed for expenses paid to attend events approved by the Regional District Board. Reimbursement of expenses is not a taxable benefit.

Directors' remuneration is increased by the *Consumer Price Index* for British Columbia for the calendar year published by Statistics Canada annually in January.

Staff have reviewed several Regional Districts' remuneration bylaws. Ideas presented in this report are a compilation of these ideas. The current remuneration bylaw for the RDBN is attached for your reference.

With regard to the removal of the 1/3 tax exempt allowance, staff is of the view that while members of the board may not anticipate a salary increase during their term of office, they do not expect a decrease, nor is a decrease appropriate.

Discussion:

Part One – Municipal Officers' Allowance

The simplest way to make sure that a "take home" salary decrease does not happen for directors in 2019 is to gross up the directors remuneration (for base amounts and meeting allowances). Essentially the Regional District would increase the amount paid so as to cover the additional taxation that the directors would be required to pay when their entire remuneration becomes taxable. The amount of increase that would be required would be based on the total income (from all sources) of each director. For analysis purpose these figures (approximated) are provided below:

Annual Income from All Sources	Increase Required
Less than \$40,000	7.2%
\$40,000 to \$80,000	10.4%
Near \$100,000	14.6%

As the average income for the Regional District falls within the middle range, an increase of the remuneration by 10.4% (plus the cost of living allowance for BC) for the 2019 calendar year will result in most directors receiving the same after tax benefit.

Part Two – Per Diem amounts for meetings

Most Regional Districts that were canvassed have an allowance for meetings that vary on the length of the meeting. Similarly, in most regional districts, the travel time spent to get to a meeting and to return home was included to calculate the length of the meeting.



The regional districts that did not provide an allowance for meetings, consider meeting attendance to be part of the directors' monthly remuneration.

Meeting rates vary but usually average between \$150 and \$250. Generally a flat rate is given per meeting. Peace River Regional District provides meeting compensation that varies with the length of the meeting. For example they have meeting pay for less than four hours, four to six hours, six to eight hours, and over eight hours. Often regional districts have another rate for sanctioned but non-business meetings or events such as convention attendance. These rates vary from \$50 to \$150.

The following policy notes are included in other remuneration bylaws:

- For greater clarity attendance at conventions or similar events (including those days spent travelling) would be considered a meeting for the purposes of claiming remuneration. However, other bylaws state that for greater clarity attendance at conventions or similar events is not considered as time spent at a meeting (no meeting per diem); however, the director is entitled to appropriate travel expenses.
- Except for regularly scheduled committee and board meetings (and conventions), meeting per diem amounts would only be provided if the director's attendance was authorized by the board and further minutes of the meeting are to be done to record actions and follow up required and these minutes are to be included in the Board agenda for receipt.
- Travel time is calculated many different ways throughout the North. For some it is not compensated but included as an increase in the remuneration amount for directors that are farther from the main office. The Regional District of Bulkley-Nechako and some others add the travel time to the length of the meeting. This is an ineffective practice unless the meeting rate varies with the length of the meeting. The Cariboo Regional District has a rate of \$20 per 100 km driven to compensate directors for their time while travelling.

Staff recommend that the policy of providing directors travel expenses and a per diem allowance for attending conventions and meetings approved by the board be continued. Further it would be beneficial to have a travel time rate for meetings based on distance travelled similar to Cariboo Regional District. These policies are consistent with the principle that directors should be reimbursed for the time they spend on Regional District business.

Directors should consider that an extra stipend be paid to directors attending Rural Directors meetings (for example \$50 - \$100 paid out of rural government "legislative") and similarly an extra stipend for attending the Stuart-Nechako Regional Hospital District meetings (again \$50 to \$100 paid for out of SNRHD). This is using the assumption that SNRHD meetings are held first during normal meeting days and the



Rural Directors Meeting is held last during normal meeting days giving directors that do not attend these meetings the option of adjusting their schedule.

A quick summary of meeting allowances in the North follows:

	Meeting Per Diem
Cariboo RD	\$ 185
RD Fraser Fort George	Included
Peace River RD	\$112-290
RDBN	\$ 214
North Coast RD	\$ 166
Kitimat-Stikine RD Director	\$ 400
Kitimat-Stikine RD Vice Chair	\$ 500
Kitimat-Stikine RD Chair	\$ 600

Part Three – Directors’ Monthly Remuneration

Rural Directors are most commonly paid a flat monthly fee that ranges from \$875 to \$1500. The current RDBN rate for Rural Directors is \$1137 per month. In some regional districts rural directors are paid an additional allowance for routine local obligations including meetings related to electoral area activities, social engagements, meeting with local societies and other events. This ranges from \$100 to \$300 per month depending on the general population of the rural area. The current RDBN additional rate for this type of allowance is based on population and ranges from \$75 to \$438 per month. As the work of an electoral area director only somewhat varies with population it may be more practical and a better estimate of the time a director spends on these types of duties to base the amount on population categories. An example would be (population):

- Less than 2000 - \$150;
- 2000 to less than 3000 - \$250;
- 3000 to 6000 - \$500; and
- Greater than 6000 - \$750.

In this example, the amount jumps at the 3000 and 6000 population amounts as this is the amount of population where the amount of votes that each director receives changes.

Appointed (municipal directors) are usually compensated in the same manner as rural directors with a flat monthly fee ranging from \$0 to \$925 per month. The current RDBN rate for municipal directors is \$702 per month.



There is a philosophical/political debate on the remuneration for municipal directors. Some regional districts' remuneration bylaws consider the flat monthly compensation for municipal director to be a municipal responsibility and only provide for meeting per diem attendance (as in part 2 above) while others provide equal compensation to that of rural directors. The median percentage is near 50%. The current RDBN compensation rate is 62%.

The RDBN has a base amount for all directors of \$702 paid for through general taxation. In the RDBN, assessments are nearly split 50% between electoral areas and municipalities. Therefore as a rule of thumb, rural taxation can be considered to be paying for the base amount for rural directors and municipal taxation can be considered to be paying for the base amount for municipal directors. To be exact, because there are actually more municipal directors than rural directors and the rural assessments are slightly higher than the municipal assessments, the rural taxpayers are actually paying for 100% of the rural directors' costs and 8.8% of municipal directors' costs while municipalities pay for 91.2% of the municipal directors' costs.

In reviewing the principles set out in this memo and the provincial purpose of a regional district:

- Electoral Area Directors should receive remuneration to provide local government governance to unincorporated areas while the municipal directors will receive, from their municipality, remuneration for providing municipal government governance to their municipalities.
- Generally, sub-regional services are an agreement between one or more electoral areas and a municipality. As a municipality's council has the governance authority for changing a bylaw where that municipality is a participant, the municipality will bear most of the governance costs for sub regional services through the municipality's remuneration of its council. However, the municipality's appointed director usually spends time facilitating sub-regional service agreements between the regional district and the municipality.
- All Directors must share equally in the responsibility and should share equally in the remuneration for region wide services.

In the review of these three purposes, directors will need to consider the additional pay (if any) received by the rural directors.

Part 4: Extra Allowances

In the North the allowance for the Chair varies from \$350 to \$2050 per month with the average being approximately \$1500 per month. Vice Chair varies from \$144 to \$643 but instead of a flat rate is often included in an extra meeting allowance when the vice



chair is required to chair. Very few regional districts provide an allowance for committee chairs and the RDBN is alone in providing an allowance for cheque signer.

The Peace River Regional District includes an allowance of up to \$40 a month for internet and phone services. The Cariboo Regional District covers the insurance difference between regular insurance and commercial (business) insurance on one of a Director's vehicles.

The Columbia Shuswap Regional District is proposing a discretionary meeting and conference allowance. This allowance is proposed at \$2,500 for electoral area directors and provides discretionary funds for that director to attend meetings and conference of their choice. This fund is used for convention fees and the reimbursement of expenses at standard meeting rates.

A Summary of the extra allowances is attached below.

	Chair	Vice Chair	Committee	Cheque
Cariboo RD	\$ 15,434	\$ 7,717	\$ 2,572	Included
RD Fraser Fort George	\$ 15,000	\$ 2,500	Included	Included
Peace River RD	\$ 24,600	*	Included	Included
RDBN	\$ 12,828	\$ 3,204	\$ 4,272	\$ 1,344
North Coast RD	\$ 6,504	\$ 1,722	Included	Included
Kitimat-Stikine	\$ 4,000	\$ -	Included	Included
	may not include CPI adjustment	*Vice Chair receives double meeting cost when chairing		

The following non-taxable benefits may be more beneficial to the directors than directly increasing remuneration:

The Regional District could provide -

- Cell phones and cell service to all rural directors.
- Local internet service to all rural directors (this would be on the receipt of a monthly internet bill and would be to a maximum amount per month).
- Discretionary Education and Conference amount (as described above) to a maximum of \$2500 per year (or a different amount) paid on proof of attendance and on submission of receipts for rural directors.
- The difference between commercial and pleasure-use-only ICBC insurance categories for one of the director's vehicles for both rural and municipal directors.
- Funding for one electronic device (tablet or laptop only) for the use of the director for such purpose as electronic agendas. Currently this amount is \$1000 per term for each rural director. This amount could be increased to \$2500 per term for each rural director and perhaps \$1250 per term for each municipal director (as it is hoped that the municipality would partner with the other half of the allowance).



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The device must be purchased by the regional district (although the director can choose the device).

Options:

The Chief Financial Officer can bring back a draft bylaw for Director review based on the direction received at the Committee Meeting. The directors may also wish the bylaw to be reviewed by an appointed public committee to provide more feedback.

Recommendation:

(All/Directors/Majority)

“That the Board of the Regional District of Bulkley-Nechako receive the Chief Financial Officer’s memo dated March 22 entitled “Director Remuneration”, and further

“That the Chief Financial Officer present a new draft remuneration bylaw for further discussion at the next Committee of the Whole Meeting.”



MEMORANDUM

To: Regional District Board
 From: Jason Llewellyn, Director of Planning
 Date: March 26, 2018
 Re: Cannabis legalization

PURPOSE

It appears that the Federal legislation legalizing recreational use of cannabis, Bill C-65, the *Cannabis Act*, may come into effect as early as August 2018. Also, the Province has recently announced its plans for regulating the sale and use of cannabis. This report provides an overview of the potential impacts of the proposed federal and provincial regulatory changes relating to cannabis, and discusses the local government regulatory changes that may be necessary.

BACKGROUND

Distribution of Responsibilities

The distribution of responsibilities relating to cannabis are outlined below.

AREA OF RESPONSIBILITY	LEVEL OF GOVERNMENT RESPONSIBLE			
	Federal	Provincial	Regional District	Municipal
Production	x			
Possession limits	x (30 grams)	x (30 grams)		
Advertising	x			
Minimum age limits	x (18)	x (19)		
Personal cultivation	x	x		
Medical cannabis regime	x			
Product testing	x	x		
Distribution framework		x		
Workplace safety		x		
Location of production	x		x	x
Location of wholesale outlets		x	x	x
Location of retail outlets		x	x	x
Public consumption		x	x	x
Business licensing				x
Public health		x		
Enforcement	x	x	x	x

The Provincial Distribution Framework

The wholesale distribution of cannabis will be undertaken by the Liquor Distribution Branch (LDB). The provincial strategy is to allow the sale of cannabis in privately run retail stores operated by the LDB and government operated retail stores licensed by the Liquor Control and Licensing Branch (LCLB). It appears that the operation of the public and private cannabis retail stores will be similar to liquor stores.

The Province has indicated that the LCLB will not issue retail sales licenses without the support of local governments. Also, it has been indicated that local governments will be sent referrals regarding retail sales licenses and will be required to implement public consultation as part of the referral process.

This referral process is anticipated to be similar to the process that the LCLB uses to consult with local governments regarding the issuance of certain types of liquor licenses. Local governments, including the RDBN, have developed Liquor Licensing Policy which outlines the process for the proponent to make application for a local government resolution supporting the proposed liquor license change. A similar process exists for the establishment of a rural agency store. It is required that local governments obtain and consider public comment as part of the process to evaluate the liquor license application.

In urban areas cannabis retail stores cannot operate in conjunction with stores selling liquor, tobacco, food, gas, lottery tickets, or clothing. However, the Province is considering a relaxation of this restriction for rural areas. It is possible that cannabis may be allowed to be sold in conjunction with rural agency stores (rural liquor stores).

Businesses established for the purpose of on-site purchase and consumption of cannabis and not permitted.

Public Use

It is anticipated that Provincial legislation will be developed to allow cannabis to be used in public spaces where tobacco smoking and vaping are permitted. However, its use will be banned in vehicles and public spaces frequented by children (parks, playgrounds). Local governments can establish additional restrictions on the use of cannabis, as they can for tobacco use.

Personal Cultivation

The federal legislation allows adults to grow up to four cannabis plants per household. The Province has indicated that it will align its regulations with the federal regulations. There is no indication that local governments will be required to play a role in regulating personal cultivation. Home cultivation of non-medical cannabis will be banned in dwellings used as daycares. In addition, landlords and strata councils will be able to restrict or prohibit home cultivation.

Agricultural Land Reserve

The ALR has implemented regulations allowing the growing and processing of medical marihuana is a protected farm use in the ALR. The use may be regulated but must not be prohibited by a local government bylaw. The ALC has not indicated if their regulations will be amended to include the growing and processing of recreational cannabis as a protected farm use.

DISCUSSION

Land Use: Growing, Processing, and Warehousing Cannabis

In early 2014 the RDBN amended “Regional District of Bulkley Nechako Zoning Bylaw No. 700, 1993” (the Zoning Bylaw) to establish where and how medical marihuana can be grown.

Medical Marihuana Production Facilities are permitted in the Ag1 (Agriculture), RR1 (Rural Resource), and M1A (Special Light Industrial - Agricultural) zones as part of the Intensive Agriculture use. Intensive Agriculture uses must be located 60 metres from a parcel line and 30 metres from a well, spring, lake or watercourse. The Ag1 zone is typically applied to lands that are located in the ALR and intended to be uses for agriculture and other compatible uses. The RR1 zone is applied to lands characterized by a lack of settlement and a larger parcel size. Agriculture and resource development are the primary intended uses. The M1A Zone is applied to lands appropriate for a mix of light industrial and agricultural uses. Staff’s initial thought is that the Zoning Bylaw should treat the growing and processing of recreational cannabis in the same manner as medical marihuana.

The distribution of recreational cannabis is to be controlled by the LDB. It is highly unlikely that warehousing facilities will be located in the RDBN rural area. The RDBN’s Zoning Bylaw allows warehousing in the M1 (Light Industrial), M1A, and M1B (Light Industrial – Contracting) zones. Staff to not anticipate recommending amendment of the Zoning Bylaw to prohibit the warehousing of recreational cannabis in these zones.

Land Use: Retail

As noted, it is proposed that recreational cannabis be sold from LDB operated retail stores and privately operated retail stores licensed by the LCLB. The Province has indicated that cannabis retail stores will not be licensed without the support of local governments, following mandatory public consultation as part of the referral process.

As noted, in urban areas cannabis retail stores must operate separate from stores selling liquor, tobacco, food, gas, lottery tickets, or clothing. However, in rural areas cannabis may be sold in dedicated cannabis retail stores or in conjunction with rural agency stores (rural liquor stores).

The RDBN Zoning Bylaw does not define the sale of cannabis as a use that is separate from a retail store in the C1 (General Commercial) zone, or a convenience store in the C2 (Highway Commercial) zone. An argument could be made that the sale of cannabis may be allowed in any zone in which retail sales are permitted. The decision for the RDBN, and member municipalities, is whether to rely on the LCLB licensing process, and the associated local government referral process, to control where the retail sale of cannabis may occur. The details of this referral process are not available, and the process can be changed at the discretion of the Province. If the RDBN Board wishes to ensure it has control over the location of cannabis retail outlets, beyond limiting the use to locations where retail is permitted, the Zoning Bylaw must be amended.

The greatest amount of Board control would be achieved by defining the retail sale of cannabis as a separate use and making it clear that the use is not allowed in any zone. This would best ensure that cannabis sales cannot legally occur in any location. A number of lawyers are recommending this approach to ensure that local government interests are protected. Once a stable regulatory regime has been implemented local governments can then consider amendments to the bylaw to allow cannabis related uses.

In the near future RDBN staff will propose amendments to the RDBN's Zoning Bylaw to establish where and how the retail sale of cannabis may, or may not, be permitted in the rural area of the RDBN. RDBN staff are considering the position that cannabis sales would be acceptable in any location where a rural agency store exists.

It is anticipated that RDBN member municipalities will be evaluating and potentially amending their zoning bylaws to address the above land use issues. It is also noted that local governments should consider the necessity to amend their Liquor Licensing Policies to establish fees, process, and consultation requirements for cannabis retail referrals from the LCLB.

Public Consumption of Cannabis

The Province has indicated that it will establish legislation that will allow the public consumption of cannabis where tobacco smoking is permitted; however, the province is expected to prohibit the consumption of cannabis in vehicles and in public spaces frequented by children (parks, playgrounds). Local governments can establish additional restrictions on the use of cannabis, as they can for tobacco use.

RDBN staff are not considering recommending that the Board establish restrictions on the public use of cannabis.

Business Licensing

Regional Districts do not have the ability to regulate through the use of business licenses. This tool is available only to municipalities in BC. It is noted that regional districts have requested authority to regulate cannabis related businesses by business license bylaws.

Business licensing bylaws may be a useful tool to regulate the impacts associated with a potential increase in the number of retail establishments that sell paraphernalia used for the consumption of cannabis and items related to cannabis culture.

The following list are examples of regulations that can be applied through a business licensing bylaws.

- restrictions on the age of persons entering the business;
- restrictions on the consumption of cannabis on the premises;
- restrictions on advertising;
- hours of operation;
- the provision of filtration systems to address odour impacts on neighbouring properties;
- establishing minimum distances from schools;
- requiring criminal record checks;
- limiting hours of operation.

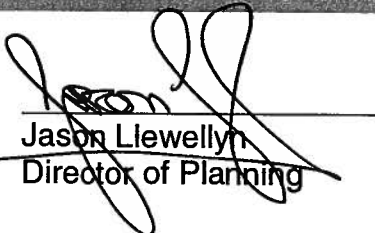
It is not known if RDBN member municipalities are evaluating and potentially amending their business licensing bylaws regarding cannabis related businesses.

Bylaw Enforcement

Given the nature of the Federal and Provincial control over production and distribution RDBN staff do not anticipate notable long term bylaw enforcement issues relating to cannabis legalization in the rural area. However, there may be enforcement impacts associated with public consumption, and business licensing where local governments choose to implement such bylaws.

Recommendation:

Receipt



Jason Llewellyn
Director of Planning

Development Services –Directors / Majority

Cannabis Legalization Primer

August 2017

How Municipalities Can Get Ready

This is the first of two reference documents developed by FCM to help municipalities address cannabis legalization locally. It provides general information and steps for consideration for municipalities looking to introduce by-laws, zoning and business practices, among other things.

The second phase of this project, set to be released in the coming months, is a more comprehensive resource to provide guidance in by-law development and highlight promising practices related to cannabis legalization at the local level.

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1. Federal Legislative Overview

On April 13, 2017, the federal government tabled two bills to legalize and regulate cannabis in Canada:

- **Bill C-45, *The Cannabis Act***, addresses the regulation, sale and cultivation of recreational cannabis.
- **Bill C-46, *An Act to amend the Criminal Code*** (offences relating to conveyances, focuses on strengthening impaired-driving measures).

This new legislation flows from the work of the federal Task Force on the Legalization and Regulation of Cannabis. FCM brought the municipal perspective to that process, grounding our advocacy in four broad principles:

- **Consultation and communication** with municipalities during the development and implementation of a cannabis legalization framework.
- **Respect for municipal authority** in the development of local implementation plans for production, distribution and consumption within their boundaries.
- **Coordinated implementation and enforcement** of the cannabis legalization framework across all orders of government.
- **Fair distribution of new revenue streams**, set in partnership among orders of government.

ab

2. Timelines

The federal government intends to enact both pieces of legislation by July 2018. This means that all orders of government must begin their internal process immediately to ensure that regulations, laws and by-laws are in place by the time the federal cannabis legislation comes into force.

For implementation to be safe, timely and effective, clear coordination between all orders of government is essential. FCM and the municipal sector are taking a proactive approach toward cannabis implementation, as much as feasible, to help ensure that the municipal sector is well prepared for the July 2018 legalization.



3. Jurisdictional Responsibilities

Federal:

The federal government will be responsible for regulating the production of cannabis, as well as setting the rules and parameters around possession limits, trafficking, advertising, the tracking of seed to sale, establishing minimum age limits, personal cultivation and the continued oversight of the medical cannabis regime.

Provincial/territorial:

Provinces and territories will likely govern many aspects of the legalization framework, including wholesale and retail distribution, the selection of a retail distribution model and workplace safety. Provinces will also have discretion to set higher age limits or more restrictive possession limits.

Municipal:

Municipal regulations stem from the frameworks set out by provinces and territories. Bills C-45 and C-46 provide latitude to provinces and territories to develop their own rules and regulations around the distribution and consumption of fresh or dried cannabis, cannabis oil, plants and seeds.

For municipalities, this means that local jurisdiction could vary in a number of ways. Still, there are common elements across the country for which municipalities are responsible. Based on the pan-Canadian analysis conducted to date, municipalities are likely to be most active in the areas of zoning, business licensing, building code, municipal workplace safety and enforcement of regulations around public consumption and impaired driving.

Please consult your own provincial or territorial government for a more precise outline of responsibilities in your jurisdiction.

Shared areas of responsibility:

What is much less clear is the role municipalities will play in areas of shared responsibility. Depending on how the legislation and regulations are shaped in the coming months, there could be shared jurisdictional responsibility in areas such as public consumption, rules for retail locations, home cultivation, taxation from cannabis sales, public education, public health and law enforcement. The extent to which municipalities will have access to federally regulated production facilities also remains unclear.

4. Where to Begin

Cannabis legalization will have specific impacts for municipalities, and the timelines are short. Below is a list of considerations and actions that your municipal councils and staff may wish to start considering now to be better prepared for July 2018.



Assemble a municipal working group on cannabis legalization



that includes members of relevant municipal divisions (police, fire services, building code, city planning, municipal licensing and standards, public health, social services, communications, law etc.) to discuss municipal considerations and identify gaps. This will be particularly important as more federal, provincial and territorial information on the issue becomes available. Recognizing the wide-ranging impact cannabis legalization will have on departments and services, many municipal jurisdictions have assembled an interdepartmental working group as a first step on the road toward legalization. In very small municipalities, there may not be the human resource capacity to bring such a group together. In this case, information sharing in collaboration with your provincial or territorial association or bringing the issue forward at your local government association meetings could be alternative options.



Engage with your province or territory early through your provincial or territorial municipal association. Ensure that there is an open line of communication and that you are on the same page about areas of shared jurisdictional responsibility. This could include impaired driving, public education, taxation, business licensing, public consumption, and land use/zoning.

Having a good understanding of the provincial, territorial and federal rules as they become law will help provide municipalities with clear direction on where you will and will not have jurisdiction.

Most provinces and territories have already begun to consult with municipalities and the public about the impact of the upcoming cannabis legalization. Your municipality or your PTA can engage in this process, raise municipal concerns and communicate back important information to your council and staff.

-  **Seek legal advice.** Given the complicated multi-jurisdictional nature of cannabis legalization, your municipality may want to seek legal advice. FCM will also be developing more detailed guidelines. But this tool will be designed to complement, not replace, legal advice that is tailored to the needs of your community.
-  **Seek appropriate municipal approvals.** Think about your municipality's approval processes and how they will align with provincial/territorial processes. Start planning now.
-  **Establish a timeline and work plan.** Take a look at your municipal agenda and develop a work plan that takes the need for public consultation into account. Align this with your province or territory's timeline for implementation.
-  **Engage the public and other key stakeholders, including industry.** There is a lot of public concern about cannabis legalization. People are going to have questions. Ways to engage the public in this process will vary, but could include:
 - A formal public consultation process
 - Conducting a public hearing of Council
 - Using online surveys, public meetings and targeted stakeholder consultations
 - Social mediaMake sure to keep public engagement focused on issues that fall under specific municipal jurisdiction.



Assess which by-laws and other municipal programs require adjustment or creation.

Cannabis legalization may require amendments to existing municipal by-laws, such as those around land-use. It may also mean new by-laws will have to be enacted, which could include those for business licensing. Here are the most common areas of by-law amendment/creation for consideration, as identified by municipalities that have been highly engaged with federal and provincial governments throughout the legalization process:

- **Land use planning/zoning.** This clear area of municipal jurisdiction could be used to regulate where licensed recreational cannabis dispensaries can operate. Land use planning by-laws can limit dispensaries' proximity to schools and playgrounds. They can also define and classify cannabis retail and lounge facilities (if these are allowed in your province/territory) distinctly from other zoning categories such as general retail where alcohol sale is permitted. Municipalities will also have to work with the federal government on zoning/land use planning for production facilities. The government has also signalled it will work on regulations for cannabis edibles once the regime is established for fresh/dried cannabis, seeds and oils. How edibles will be managed under municipal zoning by-laws and regulated by your province or territory may be an issue to discuss when reviewing potential local impact.
- **Public consumption.** Direction as to where people can consume cannabis will come through provincial and territorial legislation. This is much like laws across the country that place restrictions on smoking cigarettes and drinking alcohol in public places. We encourage you to engage with your respective province or territory regarding the parameters of public consumption of recreational cannabis, including edibles, and then develop corresponding by-laws.
- **Business licensing.** Through business licences, municipal authorities can set individual requirements for businesses. Business licensing can also correspond to related by-laws such as those for nuisance or zoning. For example, only a properly zoned building could obtain the required municipal business licence authorizing the sale of federally regulated cannabis. While density requirements are generally addressed through zoning, setting the maximum number of locations of cannabis retail stores could be a business licensing issue, as is sometimes the case with adult entertainment stores in many municipalities.
- **Human resources policies.** You will need to ensure that workplace drug and alcohol policies for municipal staff will comply with provincial or territorial changes with regard to cannabis.
- **Enforcement and policing.** Municipally-delivered police and by-law services will have to make the necessary adjustments to respond to new federal and provincial laws, as well as municipal by-laws. This could range from issues such as developing protocols and parameters around issuing tickets related to cannabis consumption, to the new training and enforcement of new impaired driving rules.

- **Public education.** Municipalities developed anti-smoking campaigns for tobacco use as part of local efforts to improve public health. It is likely that the municipal sector will want to focus their education efforts on areas of municipal jurisdiction. This would include where people can and can't consume cannabis at public events and on municipally-owned property such as parks and recreation facilities. Coordination with other orders of government on the development of public education campaigns could help streamline efforts, capitalize on external funding or expertise where it exists, and ensure consistent messaging.
- **Public health.** Depending on the size of your municipality, local public health officials will want to consider how cannabis legalization will change and impact the public health mandate.



Can you revise or develop municipal by-laws immediately, even if federal or provincial/territorial regulations are not ready yet?

Recognizing the short time municipalities have to prepare for cannabis legalization and the amount of time it takes to develop by-laws, there are a few things your municipality can do to prepare for cannabis legalization now. Some questions to ask:

- What requires clear regulatory direction from the provincial/territory?
- What is being deferred federally until a later time?

Some initial steps that can begin immediately include:

- Passing a motion in council directing municipal staff to prepare options for land-use by-law amendments in anticipation of direction from other orders of government.
- Conducting research on the local impacts of cannabis legalization and implications for municipal governments.
- Engaging with your province or territory through provincial/territorial municipal associations or directly in a PT consultation process.
- Creating a timeline and work plan.
- Scoping out the anticipated municipal roles and responsibilities into phases—by-laws required for Day One of legalization, by-laws required based on further provincial/territorial regulatory direction, and by-laws to be addressed further along in the process (e.g. cannabis edibles).

Edmonton for example, began their work by preparing amendments to their zoning by-law. The definition of a “major home-based business” was changed to clarify that cannabis sales, production and distribution were excluded from this type of business classification.





Establish areas where your municipality cannot proceed without federal or provincial/territorial direction and authority.

There are several areas where municipalities say they cannot advance cannabis legalization until other orders of government provide direction. This may include:


- Decision areas that are solely the jurisdiction of a province or territory such as cannabis distribution, or areas of shared jurisdictional responsibility such as enforcement of impaired driving, or First Nation and municipal boundary overlap.
- The type of distribution model—Crown Corporation or retail model?
- Rules to prevent existing illegal dispensaries from claiming that they deserve to be “grandfathered” into the licensing system.
- Business licences—a new application process and new business licences will be required depending on what provinces/territories decide concerning where cannabis can be purchased and consumed.
- Business licenses—a new application process and new business licences will be required depending on what provinces/territories decide concerning where cannabis can be purchased and consumed.
- Home cultivation - it is unclear what the role for municipalities will be in regulating this.
- Cost and scope of impaired driving detection training.
- Type of equipment to detect impaired driving.
- Distribution of tax revenue.
- Support for implementation costs.


In Ontario, municipalities are waiting for the province to decide whether cannabis will be sold through a Crown Corporation or a regulated retail model. In the case of a Crown Corporation, municipalities would not licence cannabis retailers and would have no land use jurisdiction as to where sales or production could be located. However, if the regulated retail model is used, municipalities would be required to regulate the location of retail outlets through existing municipal zoning by-laws.

 **Calculate cost estimates and make a financial plan.** Once we know more about what the municipal role will look like in this process, it will be time to plan for staffing and other costs, including public education, public engagement, staff training, administration and enforcement.

 **Develop draft by-law amendments.** Municipal legal affairs departments or by-law services groups, with the help of outside legal expertise if necessary, can now prepare text amendments to regulate cannabis-related activities. Some of this may begin without authority or direction from other orders of government. Some municipalities in Canada have developed a phased approach to this work, where by-law development occurs in different stages as the guidance and direction from other orders of government becomes available.

It can take time to develop by-laws, conduct public engagement and fit hearings into a busy council schedule. We recommend thinking about these processes early and assessing whether certain aspects of the work can begin immediately. Also consider the time businesses need to gain necessary municipal approvals and licences to be ready to open for when the federal cannabis legislation comes into force.

 **Presenting amendments to Council and obtaining Council approval.** Each by-law that requires amending will need to go before council for approval. Ensuring that your municipal council is well informed and ready to approve the series of amendments regarding cannabis legalization is an obvious, but important step in the process. For this stage, it is important to look ahead in the municipal calendar and establish how by-law amendments are organized and when they will go before council for decision.

 **Public education, internal training and enforcement.** Educating the public and ensuring there is consistent and fair enforcement of the new cannabis rules will be important. Institutional change of this nature will also require internal training in order to properly prepare your own staff for the new federal, provincial/territorial and municipal rules.



Cannabis

In preparation for the federal government's legalization of non-medical cannabis in July 2018, B.C. has made a number of decisions about what our provincial regulatory framework will look like.

Visit regularly for updates on B.C.'s approach to non-medical cannabis laws and regulations, and to find further information on the status of the legalization of cannabis in Canada.

B.C.'s Approach to Cannabis Legalization

Our provincial regulatory framework sets the stage for the legal and responsible use of cannabis by British Columbians. British Columbia's top priorities are protecting young people, promoting health and safety, keeping the criminal element out of cannabis, keeping our roads safe, and supporting economic development.

The Province has made the following regulatory decisions:

Minimum Age of Possession

British Columbia's minimum age to possess, purchase and consume cannabis will be 19 years old. A minimum age of 19 is consistent with B.C.'s minimum age for alcohol and tobacco and with the age of majority in B.C.

Retail Framework

British Columbians of legal age will be able to purchase non-medical cannabis through privately run retail stores or government-operated retail stores and online sales. The BC Liquor Distribution Branch (LDB) will operate the public retail stores, and Liquor Control and Licensing Branch (LCLB) will be responsible for licensing private stores and monitoring the retail sector. The operating rules governing public and private retail stores will be similar to those currently in place for liquor. In urban areas, licensed retailers will not be able to sell cannabis in the same stores as liquor or tobacco.

The Province recognizes retail access for people in rural areas will require a different approach than those used in urban communities and will establish exceptions for rural non-medical cannabis retail stores, similar to those of rural liquor stores.

This spring, the Province will launch an early registration process for individuals and businesses who are interested in applying for a cannabis retail licence. Information for potential applicants can be found in the [B.C. Cannabis Retail Licensing Guide \(PDF\)](#).

Wholesale Distribution Framework

Like many other provinces, B.C. will have a government-run wholesale distribution model. The LDB will be the wholesale distributor of non-medical cannabis in B.C.

Personal public possession limits

Adults aged 19 and above, will be allowed to possess up to 30 grams of non-medical cannabis in a public place, which aligns with the federal government's proposed possession limit for adults.

Places of use

B.C. will generally allow adults to use non-medical cannabis in public spaces where tobacco smoking and vaping are permitted. However, to minimize child and youth exposure, smoking and vaping of non-medical cannabis will be banned in areas frequented by children, including community beaches, parks and playgrounds. Use of cannabis, in any form will also be banned for all occupants in vehicles.

Local governments will be able to set additional restrictions, as they do now for tobacco use. In addition, landlords and strata councils will be able to restrict or prohibit non-medical cannabis smoking at tenanted and strata properties.

Personal cultivation

B.C. will align with the proposed federal legislation and allow adults to grow up to four cannabis plants per household, but the plants must not be visible from public spaces off the property. Home cultivation of non-medical cannabis will be banned in dwellings used as daycares. In addition, landlords and strata councils will be able to restrict or prohibit home cultivation.

Drug Impaired Driving

Drug impaired driving will continue to be illegal in B.C. The Province will increase training for law enforcement in this area and toughen provincial regulations to give police more tools to remove drug-impaired drivers from the road and deter drug-affected driving, including:

- B.C. will create a new 90-day Administrative Driving Prohibition (ADP) for drug affected driving
- The current zero tolerance restrictions for the presence of alcohol for drivers in the Graduated Licensing Program (GLP) will be expanded to include zero tolerance for the presence of THC

News

- [Cannabis retail, driving laws amongst new firm-on-safety policy decisions \(Feb. 5, 2018\)](#)
- [Province secures a fair deal for British Columbians on cannabis revenue sharing \(Dec. 11, 2017\)](#)
- [B.C. releases first decisions on cannabis regulation after public engagement \(Dec. 5, 2017\)](#)
- [Over 48,000 British Columbians have had their say on cannabis \(Nov. 2, 2017\)](#)
- [One week left to have your say on the future of cannabis regulation in B.C. \(Oct. 25, 2017\)](#)
- [Cannabis regulation committee underway \(Oct. 19, 2017\)](#)
- [Legal cannabis: help B.C. lead the way on safety, health \(Sept. 25, 2017\)](#)

What We Heard

Find out what British Columbians had to say on the legalization of non-medical cannabis in the [What We Heard report \(PDF\)](#).

Legalizing Cannabis in Canada-The Facts

With non-medical cannabis set to become legal across Canada this year, learn about the current status of cannabis laws in Canada, and the work being done to legalize and regulate it.

Visit the [Legalization and Regulation of Cannabis](#) page on the Government of Canada website for more information.

Don't Drive High

Research shows that drugs can impair your ability to drive safely and increase the risk of getting into a collision. Learn the facts about the safety and legal risks of drug-impaired driving in Canada on the [Don't Drive High](#) page of the Government of Canada's website.

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B.C. Cannabis

PRIVATE RETAIL LICENSING GUIDE

Applications and Operations

In B.C., the wholesale distribution of non-medical cannabis will be solely through the Liquor Distribution Branch (LDB). The LDB will be the operator of government-run retail stores and the Liquor Control and Licensing Branch (LCLB) will be responsible for licensing and monitoring the retail sector using a mixed public/private model.

The rules governing retail stores will be similar to those currently in place for liquor, and public and private retailers will have similar operating rules. Note that while this document sets out Government's intentions for B.C.'s retail framework, it is subject to legislation yet to be passed at both the federal and provincial levels.

Who is this guide for?

This guide provides information for those who are considering applying for a provincial licence to retail non-medical cannabis. It contains preliminary information to help applicants make business decisions and describes the application process. This information will also assist local governments in preparing for potential retail store applications within their communities.

The Province recognizes that retail access in rural areas will require a different approach than the one employed in urban communities. There is a separate section related to rural areas at the end of this document.

Engagement with Indigenous governments and organizations is an important element in the development of the provincial regulatory framework for non-medical cannabis. To ensure the retail model appropriately addresses the unique considerations that must be taken into account with respect to Indigenous peoples, the Province remains committed to working in partnership with Indigenous peoples, governments and organizations. These discussions are ongoing and will continue beyond the initial date of federal legalization of cannabis.

Who is eligible?

All applicants will be assessed using the same evaluation criteria, which includes obtaining local government support and background checks of police/criminal records which will be examined on a case by case basis.

Application Process

In spring 2018, the Province will launch an online application portal for individuals and businesses who are interested in applying for a non-medical cannabis retail licence. Additional information on applicant registration will be posted on the website <https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/cannabis-regulation> as it becomes available.

■ What is the process for applying for a non-medical cannabis retail licence?

When the application portal opens, you may start the application process by entering the required information and documents. This will allow you to provide the required information early so that the assessment of your application can begin as soon as possible once the applicable legislation is passed.

■ How long will the application process take?

The Province is committed to conducting thorough reviews of applicants and applications in order to ensure that licensed retailers will operate in a safe and lawful manner. A significant number of applications are anticipated, and plans are being put in place to enable the applications to be processed as efficiently as possible.

■ Will there be an application fee?

Yes, each applicant will be required to pay an application fee and a licensing fee. The amount of the fees has not yet been determined. Once the fees have been determined, they will be posted here <https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/cannabis-regulation>.

Eligibility

■ If I operated an illegal dispensary prior to legalization, am I prohibited from receiving a licence to operate legally?

Having operated an illegal dispensary will not, on its own, exclude you from being considered for a licence. All applicants will be assessed using the same evaluation criteria, including background checks and local government support. Persons who have operated dispensaries prior to legalization will not receive preferential treatment in the provincial application process.

■ Does having a record of criminal activity exclude me, or a shareholder in my company, from obtaining a non-medical cannabis retail licence?

Having a record of criminal activity will not necessarily exclude you from obtaining a licence. As part of the required background check, police/criminal records will be examined on a case by case basis and evaluated in relation to their relevance to the application and the recentness of the activity or offence(s) committed. For example, low risk criminal activity may not exclude a person from becoming a licensee whereas associations with organized crime will exclude a person from becoming a licensee.

■ **I already have a liquor and/or tobacco licence. Am I automatically allowed to sell non-medical cannabis at my liquor store?**

No, you must apply for a non-medical cannabis retail licence. In addition, if you are granted a licence, you will be required to operate the non-medical retail cannabis store in a completely separate business location from any liquor and/or tobacco sales.

■ **If I, a family member, or a business partner, have an interest in a federally licensed producer or processor, can I be considered for a retail licence?**

Yes, a person or company may have an interest in both a producer and a retailer. However, the LCLB will place restrictions on the business relationship between the producer and the retailer. Where there is a close association (financial or otherwise) between a licensed producer and a non-medical cannabis retail business, the retail business will be prohibited from selling any products from the licensed producer. This restriction ensures that the market remains diverse and larger participants do not consolidate and control the market. The Province may create exceptions in the future to support micro-producers.

Application: Required Information

■ **Will I have to undergo a background check?**

Yes, you will be required to consent to a background check in order to be considered for a licence. Policy work is currently underway to determine which members of a corporation, partnership, or other legal business will be required to undergo a background check.

■ **What kind of information do I need to supply to the Province about my company?**

Depending on the type of entity your company is (corporation, partnership, society, etc.) the application system will prompt you to supply the related documents and names of partners, shareholders, directors, officers, and/or senior management.

■ **What information do I have to provide about my proposed location?**

You will need to provide the parcel identifier number (PID), proof of ownership or a copy of a fully executed lease that does not expire for at least 12 months from the date of licence approval, and a floor plan. If additional information is necessary it will be requested during the application process.

■ **Does my store have to be a certain distance from schools or other retailers?**

The Province will not impose distance requirements for non-medical cannabis retailers. However, local governments will have the authority to impose additional requirements. Therefore, you should inquire with your local government about local requirements before committing to a location.

■ **Are there any rules about what I can name my store?**

Your store name must be approved by the LCLB. The name of your store cannot be misleading as to what type of business you operate. As a non-medical cannabis retailer, you cannot choose a name that would lead people to believe you are a provider of medical cannabis. For example, the words “pharmacy”, “apothecary”, and “dispensary” all have meanings linked to the selling of medicines, so these words cannot be used in association with a non-medical cannabis store.

You must also comply with federal legislation and regulations respecting advertising and promotion.

Application: Local Government Requirements

The Province will permit local governments to decide whether they wish to have a non-medical cannabis retail store in their community. For the Province to issue a licence, applicants must have the support of the local government in the community where the proposed store would be located.

■ **What is the process for obtaining local government support?**

The local government must ask residents in the vicinity of the proposed retail location to comment on how the store would impact the community. The local government must consider this public input when deciding whether or not to support the application and must notify the LCLB of their decision by way of a council resolution.

■ **Can I get local government support in advance of the provincial application?**

The Province is working with local governments and the Union of B.C. Municipalities to develop the application process, including what information local governments will need to have in order to provide informed comments on the application. Further details will be announced once they are available. In the interim, it is recommended you check with your local government to ensure that you meet any criteria that are specific to your jurisdiction and to ensure that proper zoning is in place.

■ **Do public stores have to go through the local government process?**

Yes, public stores must also have local government support.

Licences

To sell non-medical cannabis in British Columbia, retailers will be required to obtain a licence from the Province. There will be two types of retail licences for:

- ▶ self-contained cannabis stores, and
- ▶ stores in rural communities.

■ **Will there be a cap on the number of non-medical cannabis retail licences issued in B.C.?**

The Province is not capping the number of licences issued. However, local governments will have the authority to make local decisions based on the needs of their communities. This means that some local governments may choose not to allow retail cannabis stores, while others may choose to cap the number of stores that are permitted to operate within their jurisdiction.

■ **I only want to sell medical cannabis; can I apply for a medical cannabis retail licence?**

No, medical cannabis will continue to be sold online by federally licensed producers only. However, like other Canadians, medical users will be able to buy cannabis from retailers of non-medical cannabis.

The federal government has committed to conducting a review of the medical cannabis system in five years.

■ **Will there be any restrictions on where a non-medical cannabis retail outlet can be located?**

The Province is not regulating the location of stores. However, local governments may choose to do so. For example, local governments may set requirements about the proximity of a store to another cannabis store, schools, daycares or other places.

■ **Will the Province be licensing consumption lounges?**

No, not at this time. The Province is focussed on introducing a safe and responsible retail non-medical cannabis sector; consideration will be given to other types of licences at a later date.

■ **Will sales of non-medical cannabis be permitted at outdoor festivals and other events?**

Initially, non-medical cannabis sales will only be permitted at the licenced retail site. Offsite sales may be considered in the future.

Operations

Provincial and federal governments are committed to ensuring that non-medical cannabis is sold in a lawful, responsible manner. To this end, a range of requirements will be put in place; from who a retailer can buy product from, to who may enter a store, to what type of products may be sold.

Operations: Physical store

■ **Are there any rules about the physical layout or construction of my store?**

To protect youth, the federal government requires that cannabis products must not be visible from outside your store. There will be many different ways for you to achieve this requirement (e.g. window designs). In addition, please remember that you must comply with federal requirements respecting advertising and promotion.

■ **Are there any security requirements for my location?**

You have a strong incentive to secure your premises both during and after operating hours to protect your inventory from theft. The Province is considering what security requirements will be necessary. In addition, local governments may also choose to impose security requirements.

■ **Can I sell non-medical cannabis as part of another business such as a liquor store or pharmacy?**

Not at this time. The Province may consider exceptions in the future, but for now, your non-medical cannabis retail store must be a self-contained business.

There will be exceptions for rural stores, similar to rural liquor stores. The criteria for determining rural areas are currently under development.

Operations: General

■ Can minors enter my store?

No. Unlike liquor stores, where minors are permitted if they are accompanied by a parent or guardian, minors must not enter your cannabis retail store.

There will be exceptions for rural stores to allow entrance by minors. The criteria for determining rural areas are under development.

■ What hours can I be open?

Cannabis retail stores can operate between 9 am to 11 pm unless further restrictions are put in place by your local government.

■ Are there any rules around pricing?

Policy work is ongoing and information on pricing will be made available as soon as possible.

■ Is there a limit on how much non-medical cannabis I can sell to a person?

The proposed federal *Cannabis Act* prohibits an individual from possessing in a public place a total amount of non-medical cannabis, in any authorized form, that is equivalent to more than 30 grams of dried cannabis. Non-medical cannabis must not be sold in amounts greater than this.

This means that if you sell different forms of non-medical cannabis to a single customer, the combined total amount sold must not exceed the equivalent amount of 30 grams of dried cannabis.

Equivalent amounts to 30 grams of dried non-medical cannabis for other cannabis products are listed in Schedule 3 of the proposed federal *Cannabis Act*.

■ Can I sell products online?

No, only the public retailer will be permitted to sell non-medical cannabis products online at this time. Consideration may be given to allowing private online sales in the future.

■ Can people consume non-medical cannabis in my store?

No. Consumption of any kind will not be permitted in the store, and providing samples will not be permitted.

■ Can I deliver my products?

No, retailers will not be permitted to offer a delivery service.

■ Do my employees and/or I need any special training or background checks?

In collaboration with industry, the Province will develop a mandatory training program for non-medical cannabis retail employees, which will be implemented over time. The Province will also be developing a registration requirement for employees which will include background checks. Details of this program are still being developed. Information will be provided as soon as that work is complete.

■ **Where do I have to store my inventory?**

All cannabis products will be required to be stored at your retail site. No offsite storage will be permitted.

■ **Will I be required to have a certain product tracking/inventory control system?**

The federal government has committed to creating a national seed-to-sale tracking system. This is currently under development and more information on retailers' responsibilities in relation to this system will be announced as it becomes available.

■ **Can I advertise my product?**

The federal government is regulating the advertisement of cannabis under the proposed *Cannabis Act* (Bill C-45). See the "Further Resources" section at the end of this document for a link to the Bill.

■ **Can my store sponsor events or teams?**

The federal government is regulating sponsorship under the proposed *Cannabis Act* (Bill C-45). See the "Further Resources" section at the end of this document for a link to the Bill.

Supply

■ **How do I obtain non-medical cannabis to sell in my store?**

The LDB will be the only source of legal wholesale non-medical cannabis. Retailers will not be permitted to purchase any cannabis products directly from licensed producers or any other source.

■ **Can I make financial arrangements with federally licensed producers?**

You cannot accept or request any inducement from a producer. This means you must not:

- ▶ pay money to secure access to a supplier's product;
- ▶ request money from a supplier in return for providing benefits such as preferential shelf space;
- ▶ accept money in exchange for agreeing not to stock a competitor's product.
- ▶ make agreements that give a retailer exclusive access to a producer's product, or product line.

■ **What types of non-medical cannabis can I sell?**

You can sell dried cannabis, cannabis oils and seeds that comply with federal requirements.

■ **Can I sell edibles?**

No, the proposed federal *Cannabis Act* does not permit the commercial production of edibles at this time. Therefore, you cannot legally sell them. The federal government has stated that edibles will be regulated within 12 months of legalization.

■ What else can I sell besides dried cannabis and cannabis oil?

You may sell “cannabis accessories,” as defined in the proposed federal *Cannabis Act*:

“Cannabis accessory” means a thing, including rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers that is represented to be used in the consumption of cannabis or a thing that is represented to be used in the production of cannabis.

You cannot sell snacks, tobacco or other non-cannabis related items.

■ What format will cannabis products be distributed in?

LDB will distribute pre-packaged product only, with labelling compliant with federal standards, in ready-to-sell formats (no bulk products). The product brands belong to the licensed federal producers.

Retailers will not be authorized to re-package the product with their own branding. Information about specific size formats will be confirmed at a later date.

Inspections and Compliance

To ensure that non-medical cannabis is being sold in a lawful and responsible manner, the Province will establish a compliance program that will include education, inspection and enforcement activities. The focus will be on encouraging voluntary compliance.

■ How often will I be inspected?

Your store will be inspected at least once annually and any time the LCLB investigates a complaint about your store.

■ What happens if I am found to be out of compliance?

If an inspector observes a contravention of the provincial legislation at your establishment, you will be issued a Contravention Notice and the inspector may recommend enforcement action. Penalties for contraventions are under development, but could include a monetary penalty or a licence suspension or cancellation. There will be a reconsideration process for licensees that wish to challenge the result of an enforcement hearing.

■ Can the police enter and inspect my store?

Yes, police can enter and inspect your store to ensure you are operating in compliance with the legal requirements.

■ What should I do with any product I have obtained from unlicensed sources?

Once you have been issued your licence you must not sell cannabis obtained from a source other than the LDB.

Rural Areas

The Province is aware that it may be necessary to introduce special provisions for rural areas in order to provide access to non-medical cannabis to rural populations.

- **Can an existing business in a rural area be authorized to sell non-medical cannabis, like they are for liquor?**

The Province is considering this possibility because a self-contained non-medical cannabis retail store may not be a viable business in some rural areas.

- **Will the rural agency store model (RAS) used for liquor be used for cannabis?**

Many of the operational requirements of the RAS model used for liquor may be applied to non-medical cannabis. However, the Province is still evaluating how to best meet the need for rural access.

- **If I operate a RAS, will I automatically be able to sell non-medical cannabis?**

No, if a current RAS operator is interested in retailing non-medical cannabis, they will be required to apply for a licence specifically for non-medical cannabis.

Further Resources

Bill C-45 the draft federal Act can be found here <http://www.parl.ca/LegisInfo/BillDetails.aspx?billId=8886269>

Contact information: cannabisregs@gov.bc.ca

Cheryl Anderson

From: Christian, Holly <Holly.Christian@northernhealth.ca>
Sent: March 15, 2018 8:46 AM
To: Cheryl Anderson
Subject: Northern Healthy Communities Forum

Hello Cheryl,

Please pass along my response to Mr. Miller.

Thanks in advance,
Holly

Hello Mr. Miller,

We thank you for your letter with regards to the Annual Healthy Communities Forum scheduled for May 7th.

Unfortunately, we are unable to change the time of the event as we have worked closely with the NCLGA to plan around the AGM events that are scheduled for that week. Their programming begins at 3:00pm on May 7th and thus we were only able to secure a time in advance of this.

We recognize and regret that this may conflict with some of the travel plans that have been set forth by groups, particularly in the NW.

Northern Health will also be presenting to the NCLGA on Thursday. We are also planning to send out the summary of the discussion to those who are in attendance on the Monday; we are happy to include you and members from your delegation if you are unable to attend. We are also happy to share the tools, resources and presentations from Monday with anyone who is interested.

Please let me know if you would like to discuss this further.
Regards,

Holly Christian
NW Lead, Healthy Community Development

Northern Health
1788 Diefenbaker Dr. Prince George, BC V2N 4V7
Tel: 250.645.6348
Cel: 250.961.1674
Fax: 250.612.0810

holly.christian@northernhealth.ca
www.northernhealth.ca



NEWS RELEASE

For immediate release

March 09, 2018

Apply now! IMAGINE Community Grants of up to \$5,000 available to community groups, schools, and other partners

Northern Health is looking for community partners with ideas for projects that will improve the health of those living, working, learning and playing in northern BC. The next opportunity to apply for IMAGINE Community Grants began March 1, 2018.

IMAGINE grants provide funding to community organizations, service agencies, Indigenous organizations, schools, municipalities, regional districts, and other partners with projects that support northerners in their efforts to stay healthy.

Applications are being accepted until March 31st. Projects should aim to prevent chronic disease and injury or promote health in one or more of the following areas:

- Healthy eating and food security
- Physical activity and active living
- Injury prevention
- Tobacco-free communities
- Positive mental health
- Prevention of substance harms
- Healthy early childhood development
- Healthy aging

Applicants can apply for funding of up to \$5,000 for their project. Preference will be given to projects that encourage different community groups to work together, address a gap in services or programs available, help those who are disadvantaged or vulnerable, and/or develop skills and resources.

Since 2009, the IMAGINE Community Grants have provided funding to 822 projects across northern BC. Past projects have included; community gardens and supporting food gathering and traditional methods of food harvesting and preservation, walking trail enhancements for accessibility, sporting equipment, lending libraries, education sessions and workshops to support skill development in the community. More details on past grantees are available at <http://qoo.gl/eTmDUL>.

The most recent cycle for IMAGINE Community Grants funding was released in the fall, 2017. From that funding cycle, 45 projects in 28 communities across northern BC were awarded IMAGINE Community Grants.

A number of schools, organizations, First Nations, municipalities and community groups have been awarded seed funding and will be initiating grassroots projects to improve the health of those living, working, learning and playing in our region.

A backgrounder listing the groups for the 2017 Fall Cycle of IMAGINE Community Grants awarded across the region is attached.

For more information and to access the application guide and form, please visit www.northernhealth.ca or call 250-565-2131.

Media Contact:

NH media line: 1 (877) 961-7724

Cheryl Anderson

Subject: FW: Apply to the Low Carbon Economy Challenge

From: FCM Communiqué <communiqu@fcm.ca>
Date: March 22, 2018 at 11:01:29 AM PDT
To: melany.deweerd@rdn.bc.ca
Subject: Apply to the Low Carbon Economy Challenge

March 22, 2018

[f](#) [in](#) [t](#) [v](#)

Apply to the Low Carbon Economy Challenge

Your municipality may be able to tap a new \$500-million federal fund to scale up cost-saving green innovation — from building retrofits to renewable energy — helping Canada meet its commitment to reduce greenhouse gas (GHG) emissions.

The [Low Carbon Economy Challenge](#) (LCEC) includes two streams: One for communities over 100,000 and one for communities under 100,000. Applications to the large communities stream are due May 14, 2018. Applications to the small communities stream will be accepted later in 2018, final deadline to be determined.

Scaling up local innovation

This program responds to FCM's calls for federal climate change funding to help municipalities scale up local innovation to reduce emissions. Since the Challenge was first announced in 2017, FCM engaged with federal officials to help shape the design of the program to ensure municipal access and that it meets municipal needs.

The federal government incorporated FCM's recommendations by making municipal projects eligible for funding under multiple categories and creating a separate stream for small communities. They also established a two-stage intake process whereby municipalities first submit an Expression of Interest before submitting a full application. The government is also providing clear guidance on how to measure GHG reductions to assist municipalities make successful applications.

Meeting emission reduction targets

The fund is intended to help Canada meet its 2030 GHG reduction target under the Paris Agreement. Applications will be assessed based on their ability to reduce GHG emissions. Projects must be new and demonstrate that they require this funding to proceed. See [applicant guide](#) for full details.

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Eligible categories relevant to municipalities include: municipal building retrofits, social housing retrofits, district heating systems, combined heat and power systems, renewable energy systems (e.g. solar, wind or micro-hydro), landfill gas capture, organics diversion and biogas or biofuel production.

Note that this program is separate from the green infrastructure funding that will be available to municipalities through the Integrated Bilateral Agreements currently being concluded between the federal government and provinces and territories. The Low Carbon Economy Challenge is a federally-administered national program that municipalities must apply to directly.

Environment and Climate Change Canada is conducting a series of [information sessions](#) on the LCEC in communities across Canada over the next two weeks.

Find us: f in  

FCM

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24 Clarence Street, Ottawa, Ontario K1N 5P3 | T. 613-241-5221 | F. 613-241-7440

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