

## CITY OF BURNABY

### PLANNING AND BUILDING REZONING REFERENCE #19-21 2019 June 05

#### ITEM #11

#### 1.0 GENERAL INFORMATION

- 1.1 Applicant:** Ascension Bioceuticals Inc.  
7262 Barnet Road  
Burnaby, BC V5A 1E2  
Attn: John Buttedahl
- 1.2 Subject:** Application for the rezoning of:  
Strata Lot 2 District Lot 10 Group 1 New Westminster District Strata  
Plan NW2757 Together With An Interest In The Common Property  
In Proportion To The Unit Entitlement Of The Strata Lot As Shown  
Of Form 1
- From:** CD Comprehensive Development District (based on M1r  
Manufacturing District and M5 Light Industrial District)
- To:** Amended CD Comprehensive Development District (based on M5  
Light Industrial District)
- 1.3 Address:** B - 3290 Production Way
- 1.4 Location:** The subject site is comprised of one tenant space within a  
commercial/industrial development, located on the east side of  
Production Way between Lougheed Highway and Commerce Court,  
directly across from Thunderbird Crescent (Sketches #1 and #2  
*attached*).
- 1.5 Size:** The site is an L-shaped unit with a total area of 488 m<sup>2</sup> (5,253 sq. ft.).
- 1.6 Services:** The Director Engineering will be requested to provide all relevant  
servicing information.
- 1.7 Rezoning Purpose:** The purpose of the proposed rezoning bylaw amendment is to permit  
a cannabis production facility for production of pharmaceutical-grade  
cannabis products for recreational and medicinal uses.

#### 2.0 POLICY FRAMEWORK

The proposed rezoning application aligns with the following goals and sub-goals of the Corporate Strategic Plan:

**A Safe Community**

- Crime prevention and reduction - Ensure citizens and businesses feel safe in our community.

**A Connected Community**

- Partnership - Work collaboratively with businesses, educational institutions, associations, other communities, and governments.

**A Dynamic Community**

- Economic opportunity - Foster an environment that attracts new and supports existing jobs, businesses and industries.
- Community development - Manage change by balancing economic development with environmental protection and maintaining a sense of belonging.

### **3.0 NEIGHBOURHOOD CHARACTERISTICS**

The subject site is one of the two strata units within a commercial/industrial building, located on the east side of Production Way (see *attached* Sketch #1). The adjacent strata unit, located north of the site is a 40-seat restaurant, with a one-storey storage building beyond. Immediately adjacent the site to the east, and across Production Way to the west, are one- and two-storey industrial/storage buildings. To the south is a mid-rise office building with commercial retail spaces at grade, the Production Way-University SkyTrain station, and a bus loop. Vehicular access to the site is from both Production Way and a rear drive way.

### **4.0 BACKGROUND INFORMATION**

- 4.1 The subject site is located within the Lake City plan area (see *attached* Sketch #2). The plan designates the subject property and all neighbouring properties for Urban Business Centre District (utilizing the B2 Urban Office District), with the exception of strips along Production Way between Lougheed Highway and Commerce Court, which are designated for Commercial (utilizing the C1 Neighbourhood Commercial District).
- 4.2 On 1987 July 13, Council granted final adoption to a rezoning bylaw amendment (REZ# 12/87) for 3280 Production Way, including the subject site which was located within 3280 Production Way. The purpose of the rezoning was to accommodate construction of an industrial development, including a bakery (Buns Master bakery) and a coffee shop. Following rezoning, the property was subdivided into two lots, and the lot containing the subject site was stratified in order to provide for individual ownership within the integrated industrial development.
- 4.3 On 1987 August 27, Preliminary Plan Approval #8617 was issued for construction of a new building for Buns Master, including production and retail sales of bakery products,

and a coffee shop. The building containing two strata units has continued to be used as a coffee shop/restaurant and for manufacturing/warehousing purposes.

- 4.4 On 2014 January 27, Council adopted a Zoning Bylaw text amendment to allow production, finishing, packaging, warehousing, or distribution of medical marihuana in the M1 Manufacturing, M2 General Industrial, M3 Heavy Industrial, M4 Special Industrial and M5 Light Industrial Districts, subject to the rezoning to the Comprehensive Development (CD) District. The proposed amendment was in response to the new federal legislation regarding production of marihuana for medical purposes (*Marihuana for Medical Purpose Regulations* [MMPR]). The rezoning requirement to allow medical marihuana production facilities was to ensure full review of specific development proposals, and the community's input in siting of these facilities.
- 4.5 On 2018 March 12, Council adopted a Zoning Bylaw text amendment which requires that the same zoning regulations that apply to medical marihuana production, finishing, packaging, warehousing and distribution also apply to non-medical cannabis. This amendment was in response to the Federal Government's introduction of the Bill C-45 (*Cannabis Act*)<sup>1</sup>, which creates a legal framework for the production, distribution, advertisement, possession and consumption of non-medical cannabis in Canada.

According to the Zoning Bylaw a cannabis production facility, which is defined as "a building or portion thereof, providing for the production, finishing, packaging, warehousing and/or distribution of cannabis" is permitted in the M1, M2, M3, M4 and M5 Districts, subject to the rezoning to the CD District.

- 4.6 According to the *Cannabis Act*, a person conducting various activities with cannabis is required to obtain a licence issued by Health Canada. However, before submitting the application to the Minister for a licence for cultivation, processing or sale that authorizes the possession of cannabis, the person must provide a written notice to the local government, the local fire authority, and the local police force or RCMP.

## 5.0 GENERAL INFORMATION

- 5.1 The applicant is requesting to rezone a portion of 3290 Production Way (unit B), to the CD Comprehensive Development District, utilizing the M5 Light Industrial District as a guideline, in order to establish a cannabis production facility.

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<sup>1</sup> The *Cannabis Act*, defines "cannabis" as a cannabis plant, or any part of a cannabis plant, including the phytocannabinoid, produced by or found in such a plant, regardless of whether that part has been processed or not (with a number of exceptions), any substance or mixture of substances that contains or has on it any part of such plants, any substance that is identical to any phytocannabinoid produced by or found in such a plant, regardless of how the substance was obtained.

- 5.2 On 2019 March 01, the applicant provided a written notice to notify the City of their submission of an application for a “Standard Processing Licence” to Health Canada. Under this licence, if authorized by Health Canada, the applicant may conduct research, posses, produce (other than obtain it by cultivating, propagating or harvesting it), package/label, sell and distribute (only to other licence holders) cannabis products.
- 5.3 The proposed facility with a floor area of approximately 488 m<sup>2</sup> (5,253 sq. ft.) is the expansion of GrowX Global Corporation in partnership with Ascension Bioceuticals. The purpose of establishing this facility is for Ascension Bioceutical to produce pharmaceutical-grade cannabis products for medicinal and recreational purposes, by using unique processing methods that enhance the bio-availability, potency and duration of effects of the cannabis.
- The proposed activities conducted in this facility include research and development; processing of cannabis/hemp oil (purchased from other Licenced Producers) to produce tinctures, oral sprays and capsules; packaging/labeling; storage; sale and distribution of finished products to other licence holders and British Columbia Liquor Distribution Branch. To better utilize the existing manufacturing/warehouse space for the intended uses, the applicant proposes interior renovations and an addition to the floor area for construction of a mezzanine within the existing building footprint.
- 5.4 The proposed facility will not be involved in cultivation, propagation and harvesting of the cannabis plants, and therefore it is not expected to negatively affect the surrounding areas by emission of odour. However, the facility will be equipped with commercial grade filters and HVAC systems to eliminate any possible emissions. In addition, the facility meets all the security measures required by Health Canada.
- 5.5 According to the Zoning Bylaw, retail sale of cannabis in Burnaby is only permitted in the government cannabis stores and licensee cannabis stores. Therefore, the accessory retail sale of finished products to the public within the facility would be prohibited.
- 5.6 The proposed rezoning application to permit a cannabis production facility to conduct research, manufacturing, packaging and storage of pharmaceutical-grade cannabis products is considered supportable as it is generally in line with the Lake City Community Plan’s objectives to provide a mix of research, office and associated manufacturing, laboratory, and light industrial uses.
- 5.7 The Director Engineering will be requested to provide an estimate for any additional services necessary to serve the site.
- 5.8 The granting of any necessary statutory rights-of-way, covenants and easements for the site will be provided.

5.9 The prerequisite conditions to the proposed rezoning will be included in a future report

## 6.0 RECOMMENDATION

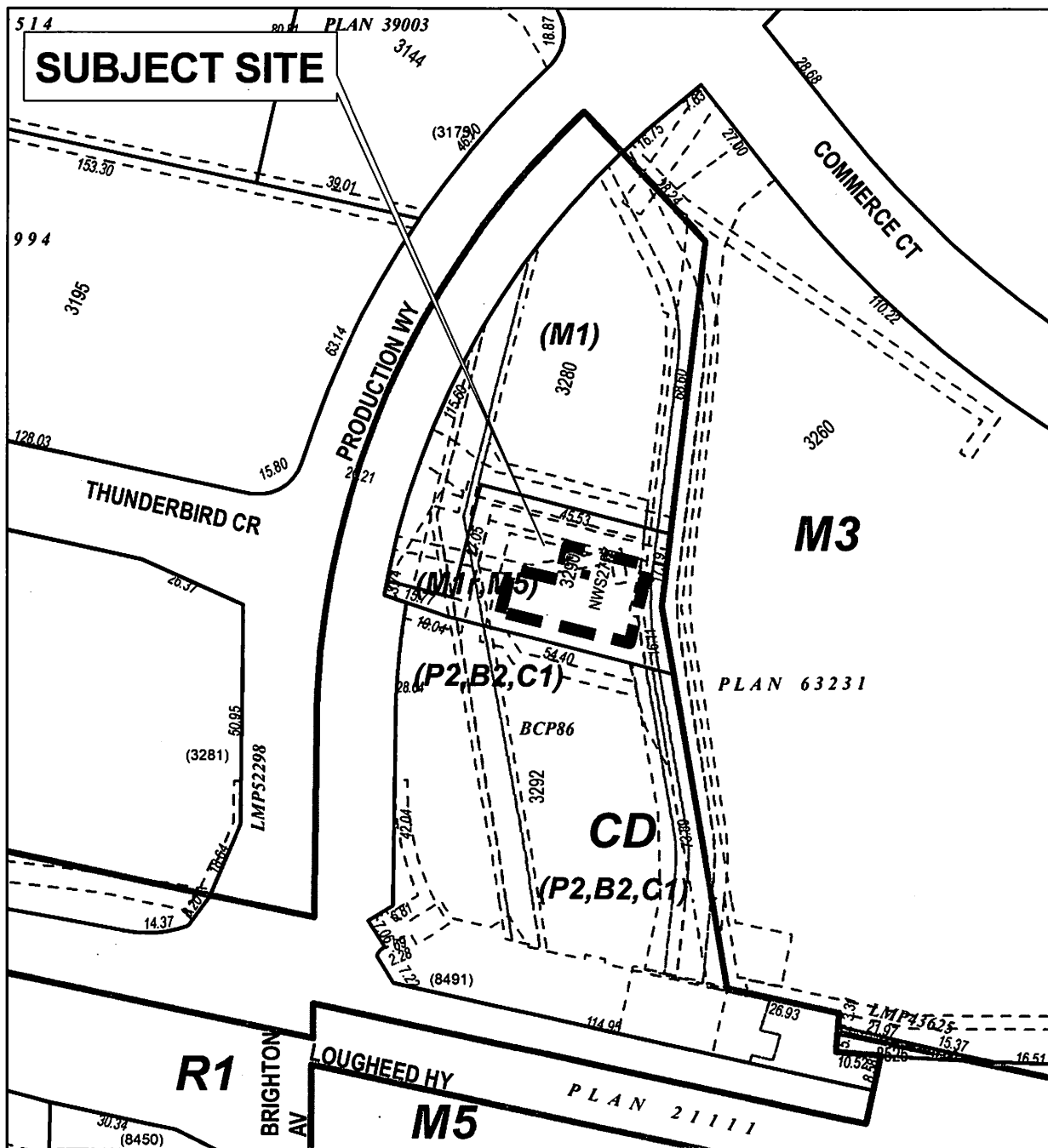
**THAT** the Planning and Building Department be authorized to continue to work with the applicant towards the preparation of a suitable plan of development for presentation to a Public Hearing on the understanding that a more detailed report will be submitted at a later date.



P. Smith

Attachments

cc: City Solicitor  
City Clerk




PLANNING & BUILDING DEPARTMENT

DATE:  
MAY 30 2019

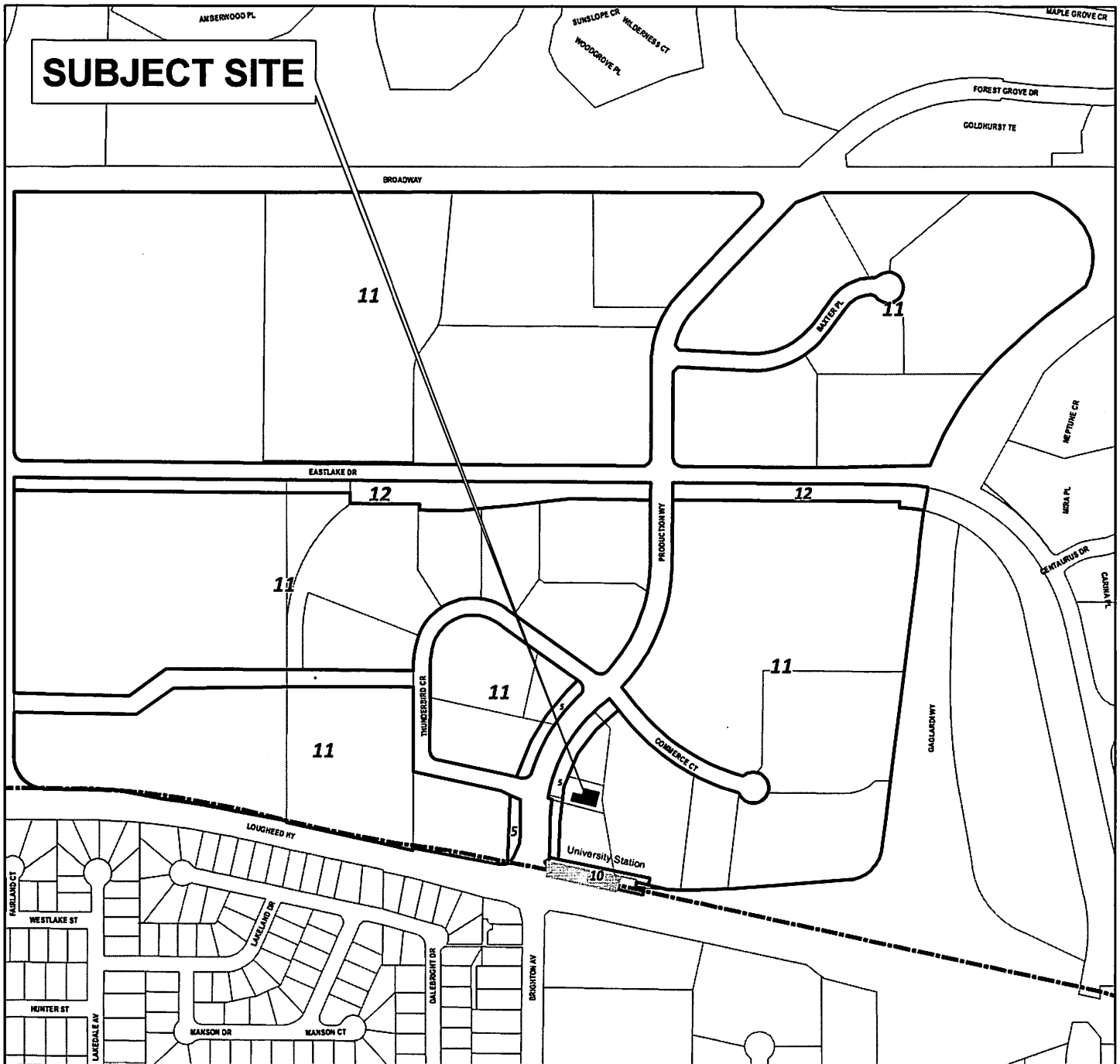
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REZONING REFERENCE #19-21  
3290 PRODUCTION WAY

 Subject Site

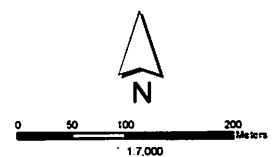
Sketch #1



#### Land Use Designations

- 5 Commercial
- 10 Institutional

- 11 Business Centre District
- 12 Park and Public Use



PLANNING & BUILDING DEPARTMENT

## Lake City Business Centre

3/1/2019

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Ascension Bioceuticals Inc.  
32908 Production Way  
Burnaby BC V5A 4R4

Parissa Shafizadeh  
Zoning Planner – City of Burnaby  
4949 Canada Way  
Burnaby, BC V5G 1M2

Re: Notice of Standard Processing License application under The Cannabis Act

Dear Mrs. Shafizadeh,

Ascension Bioceuticals Inc. is a Burnaby-based company applying to Health Canada for a Standard Processing License as an extension of its partner GrowX Global Corp. A pre-licensing condition is that we notify in writing, a Senior Official at the city of Burnaby of our intentions as we will submit the application no later than March 15<sup>th</sup>, 2019.

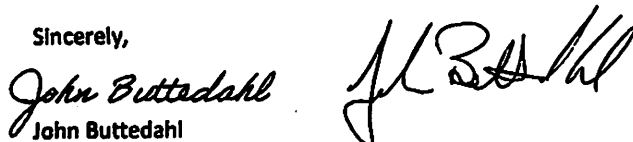
The application will propose that we be permitted to conduct the following activities at 32908 Production Way, Burnaby V5A 4R4 (the "Premises") as authorized by the Standard Processing License:

1. To possess cannabis
2. To produce cannabis, other than obtain it by cultivating, propagating or harvesting it; and
3. To sell cannabis to those permitted to purchase and/or authorized by license
4. To package and label finished cannabis products
5. To conduct research and development within our licensed activities

We intend on using the premises for packaging, storage, a lab and office spaces. Please note that we will NOT be operating a retail dispensary or growing cannabis. Every health, safety and security measure will be adhered to according to the most up-to-date licensing requirements laid out by The Cannabis Act and any other Health Canada or relevant legal requirements. We look forward to cooperating with the City of Burnaby to ensure our operations are of benefit to the local community.

Please contact me if you have any questions or require further information.

Sincerely,

  
John Buttedahl

Director/Responsible Person (Applicant)  
Ascension Bioceuticals Inc.  
p: 604.338.9638  
e: [john@ascensionbioceuticals.com](mailto:john@ascensionbioceuticals.com)

cc. Lou Pelletier  
Director - Planning & Building City of Burnaby

