

**COUNCIL POLICY:
RETAIL CANNABIS SALES POLICY**



Council Approval Date: January 16, 2019

Department: Development Services

Amended:

1. PURPOSE

This policy outlines criteria that will be considered by North Cowichan Council as part of any Zoning Bylaw Amendment Application, Temporary Use Permit Application, or Liquor and Cannabis Regulation Branch referral for cannabis retail use.

This policy was established in response to the legalization of cannabis by the federal government. It is intended to address potentially adverse community impacts of retail cannabis sales, including inappropriate exposure of cannabis to minors and undesirable concentration of storefront cannabis retailers.

2. SCOPE

This policy is intended to guide Council when considering applications for rezoning or temporary use permit, as well as for provincial licensing referrals for retail cannabis sales. It is not intended to fetter Council's discretion when considering individual applications. Each application will be evaluated on its own merits.

3. DEFINITIONS

"applicant" means an applicant for an application that would allow for a retail cannabis sales at a particular location;

"retail cannabis sales" means premises where cannabis is sold or otherwise provided to a person who attends at the premises.

4. POLICY

Location

4.1 Retail cannabis use must be located on, or in close proximity to, a provincial highway, urban arterial road, or urban collector road; and in commercial areas, including areas zoned for retail use, or designated for commercial use in the Official Community Plan or Local Area Plan.

4.2 Only one retail cannabis sales storefront will be allowed per parcel.

4.3 Each parcel permitting retail cannabis sales must be:

- (a) at least 600 m (in a straight line from closest lot line to closest lot line) from a public or independent elementary, middle, or secondary school; or a playground, recreation centre, or other areas where children and youth frequent, and

- (b) at least 300 m (in a straight line from closest lot line to closest lot line) from another lot where retail cannabis sales is permitted, whether or not a storefront cannabis retailer is active or not.
- 4.4 This Policy does not limit Council from considering variances to the separation distances noted based on circumstances related to a specific application.

Community Impact

- 4.5 Council will consider the impact of retail cannabis sale in proximity to libraries, public recreation centres, public community centres, parks, places of worship and family-oriented facilities.

Application Process

- 4.6 The Municipality will not accept applications for proposals that are not associated with an application that has been accepted by the Liquor and Cannabis Regulation Board (LCRB).
- 4.7 Should the Municipality accept an application and then that application is cancelled or withdrawn from consideration by the LCRB, the Municipality will terminate the application process by giving the applicant the opportunity to withdraw the application, and subsequently recommending that Council reject the application.
- 4.8 All applicants are required to arrange and conduct an Information Meeting to provide residents and property owners within 60 m of the subject property with information about their application. A summary of the feedback received at the meeting will be incorporated as part of the staff report to Council.
- 4.9 The Municipality will refer all retail cannabis sales applications to School District #79, North Cowichan RCMP, and jurisdictional neighbours for up to 30 days to ensure that their comments are considered in Council's decision.
- 4.10 All applications for retail cannabis sales under this Policy shall be forwarded to registered or selected Community Associations, for information and comments they may wish to provide.

5. ROLES & RESPONSIBILITIES

Staff will include an analysis of each application's compliance with this Policy as part of the staff report to Council.