

City Staff Report

Report Date: December 2, 2018

Meeting Date: December 8, 2018

To: City Manager

From: Director of Development Services

Subject: Cannabis Retail Sales and Production facility land use policy.

Purpose

Develop land use policy on Cannabis retail sales and production facilities.

Summary

- In November Council directed staff to draft a bylaw amendment to permit **Retail Cannabis Sales** in the core commercial zones subject to separations of 100m from schools and parks, eliminating the distances between stores and any limit on the number of stores to be permitted in the City. In addition staff was directed to develop a process for the review of the cannabis applications.
- Attached is a bylaw amendment to permit **retail cannabis stores** in the Central Business District Commercial (C-3), West Quesnel Business District (C-2), Highway Commercial (C-4) Zones, and Regional Shopping Centre (C-8) zones and **cannabis production** in the Light Industrial (M-1) zone.
- Restrictions of 100m from a playground, playfield or school and 50m from a residentially zoned property are recommended.
- A process for review is described in the background section of this report and will be put into a guide for applicants and placed on the City's website.

Recommendation

THAT Council provides first reading in the bylaw section of the meeting to City of Quesnel Zoning Amendment Bylaw No. 1863 that:

- a) permits retail cannabis sales in the Central Business District Commercial (C-3), West Quesnel Business District (C-2), Highway Commercial (C-4) Zones, and Regional Shopping Centre (C-8) zones;
- b) restricts retail cannabis sales from being located within 100m of a playground, playfield or school and 50 of a residentially zoned property; and
- c) permits cannabis production in the light industrial (M-1) zone.

AND THAT Council approves staff publishing the proposed process for application reviews as described in this report.

Statutory Requirements

Cannabis Act – Federal

Cannabis Control and Licensing Act - Provincial

Cannabis Distribution Act - Provincial

Council Policy

Zoning Bylaw

Business Licensing Bylaw



Application Procedures Bylaw

Strategic Objective

N/A

Financial Implications

\$1000 Cannabis Licensing Application Fee

Background

In November the City received its first application from the Liquor and Cannabis Regulation Branch for the establishment of a private cannabis store at 308 McLean Street. Since that time the City has received notice of the intention of the province to establish a government store in West Park Mall 155 Malcolm Street. At this time the City formally has these two applications under review.

In addition there have been a number of inquiries from prospective operators looking for locations to establish facilities. Staff anticipate receipt of at least 2 more facilities. The following process is recommended for publication to the public for information on the process after the zoning bylaw amendment is adopted.

PROCESS

1) Pre-application meeting

Applicants will be encouraged to meet with Development Services Staff to review City's requirements related to Retail Cannabis Sales including compliance with zoning bylaw regulations and business licensing requirements.

2) Submit Provincial application to LCRB.

The applicant will be directed to submit a provincial Cannabis Retail Licence application to the LCRB. The LCRB will direct a referral to the City to obtain a Council Resolution to confirm if Council will endorse or deny the application.

The LCRB will conduct a review process to determine if the application is fit and proper. They may or may not complete this process prior to the City completing our review. Once they complete they will provide the City with correspondence advising if the application has been deemed fit and proper or not.

Applications will be processed in order they are received from the LCRB. City Retail Cannabis Sales Licence Applications or application fees will not be accepted until a referral from the LCRB is received.

3) Submit Retail Cannabis Sales License Application to the City.

Once the LCRB referral is received, a preliminary review will be completed and applicants will be advised by e-mail whether or not the application complies with City requirements.

If the application complies the applicant will be given 5 business days to complete a City application and submit the required fees.

4) Review and Public Notification

Development Services Staff will complete a technical review of the application, which may include referrals to various City Departments and the local RCMP.

Public Notice will be delivered to property owners and occupants within 100 m of the subject property. The notices will advise residents of the pending application and the ability to provide written comments, within 10 days from when notices were mailed, for Council's consideration.



5) Council Consideration

A report to Council will be prepared that will advise Council of the application, results of staff's review, and any written public feedback. The application will be considered at a regular meeting of Council and a resolution will be issued that supports the application, supports the application with conditions, or does not support the application.

6) Council Resolution forwarded to LCRB

The Council resolution will be provided to the applicant and the LCRB, which will complete the City's process. The LCRB will review the resolution and decide in conjunction with their review process whether or not to approve the application.

7) Business License Issuance

A business license will only be provided once the LCRB has provided an Approval in Principle and the City has provided a favourable resolution to the LCRB. The business license will be issued on the condition that the applicant receives final approval from the LCRB.

Next Steps

Zoning Amendment

February 5 Public Hearing

February 5 Second and Third Readings

February 19 Final Reading

Cannabis Retail License Applications

February 6 -8 Notices issued for any application in progress

February 19 License Review on any applications received by LCRB by January 15

Attachments

City of Quesnel Zoning Amendment Bylaw No. 1863

Options

1. Approve recommendation.
2. Amend and approve.
3. Provide an alternative direction.