



The Corporation of the Village of Slocan Memo

MTG DATE: FEB 14/22
ITEM: REC
FILE: LCRB-Cannabis

DATE: February 14, 2022
TO: Mayor and Village Council
FROM: M. Gordon, CAO
SUBJECT: Application for Cannabis Retail Store Licence – 519 Harold Street

ANALYSIS SUMMARY:

Correspondence was received on January 20th, 2022 from the Liquor and Cannabis Regulation Branch (LCRB), advising the Village of an application for a non-medical cannabis retail store licence (CRS), proposed to be located at 519 Harold Street, Unit B (upper level).



Local governments and Indigenous nations are a crucial part of the licencing process. Section 33(1) of the *Cannabis Control and Licensing Act* prevents the LCRB from issuing a CRS licence without a positive recommendation regarding the licence application from the local government or Indigenous nation.

PROCESS:

LCRB Application	Application for new licences under the Cannabis Control and Licensing Act are submitted to the LCRB. The LCRB will conduct a review of the application. Application includes very specific criteria to be included, and requires information such as release and consent for security screening and financial integrity checks.
Local Gov't (LG) Notification	The local government (LG) will receive notice of application. Much like approval of a Liquor Licence, a Cannabis Retail Store Licence requires a recommendation from the local government to proceed.

Initial Staff Review	<ul style="list-style-type: none"> • Upon receipt of the Notice, staff will evaluate the Notice for compliance with relevant Village bylaws. • If it is determined by staff that the Notice does not conform to Village bylaws, staff will notify the applicant and will discuss if the con-conformity can be considered through a bylaw amendment.
Public Input	<ul style="list-style-type: none"> • Notice of the application shall be advertised to the public. • Public are granted 30 days to submit written comment on the application.
Recommendation	<ul style="list-style-type: none"> • Staff will prepare an information package, including public comment, for Council review. • Council has the option to make a recommendation. Council may support the application, not support the application, or request that further information be provided. • If supported, the recommendation must be in writing and by way of Council resolution. • Recommendation must: <ul style="list-style-type: none"> - show that consideration was given to the proposed location; - outline views of the LG on impacts to the community; - include views of the residents and demonstrate how they were gathered (ie: public survey, request for comment submission, town hall meeting, etc.). • Applications are considered on a case-by-case basis. • Applicant is subject to security screenings and financial integrity checks.
Approval by LCRB	<p><u>Approval in principle</u> is granted if the applicant meets all application requirements, the application is supported by the LG, and the licence fee is paid.</p> <p>Approval <i>in principle</i> indicates the applicant is eligible to receive a licence if final inspection is passed. During final inspection, the inspector will:</p> <ul style="list-style-type: none"> • Confirm that floor plan and licenced area is consistent with application; • Confirm the store's address and signage meets requirements; • Take pictures of the store; • Confirm installation of audible intruder alarm system, fire alarm, locked retail display cases, locked cannabis storage room, secure perimeter door locks, security cameras with full unobstructed view of the retail sales area, product storage area, and both the interior/exterior of all store entrances/exits; • Provide an overview of the inspection and compliance process; • Review the terms and conditions of the licence. <p>As a licensee, you must have your Selling It Right certification. Workers who sell or supervise the sale of non-medical cannabis must also complete the training course "<u>Selling it Right</u>".</p>
Building Alterations	<ul style="list-style-type: none"> • Applicant may apply for a Building Permit for change of use or structural improvements, if required.

Licence Approval	<ul style="list-style-type: none"> Once the Village has received confirmation of issuance of a Provincial Licence and completion of building permits, if applicable, a Village of Slocan Business Licence may be issued.
Miscellaneous	<ul style="list-style-type: none"> All cannabis products sold at a licenced store must be purchased from the Liquor Distribution Branch (LDB). (see attached). Retailers must submit monthly reports to the LCRB, which include inventory, sales, and number of employees. These reports are submitted to Health Canada for inclusion in the Federal Cannabis Tracking System.

STAFF REVIEW:

*provisions listed below, pertaining to cannabis retail facilities, have been researched, compared with, and extracted from bylaws of adjacent municipalities consistent with Slocan's size, population, and geographic area.

Zoning

The subject property is located within the C2: *Core Commercial Zone*. Although “*retail, general specialty shop*” is a permitted use within the C2 Zone, staff are proposing amendments to the bylaw which would relate specifically to the retail sale of cannabis:

1.	Add the following definitions to PART 2 - DEFINITIONS	<ul style="list-style-type: none">• CANNABIS ACCESSORY has the same meaning as in the <i>Cannabis Act</i> (Canada), as amended or replaced from time to time, and generally includes items such as rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers, that is represented to be used in the consumption of cannabis.• CANNABIS has the same meaning as in the <i>Cannabis Act</i> (Canada), as amended or replaced from time to time, and includes any products containing cannabis.• CANNABIS RETAIL SALES FACILITY means a facility that complies with Government of Canada regulations and is licenced to sell non-medical cannabis and cannabis accessories.				
2.	Amend the following definition: “ Retail, General Specialty Shop ” means an establishment selling goods or merchandise to the ultimate consumer, and not for resale purposes.	Replace with: “ Retail, General Specialty Shop ” means an establishment selling goods or merchandise to the ultimate consumer, and not for resale purposes, <i>but specifically excludes Cannabis Retail Sales</i> .				
3.	Add the following to Section 4.21 PARKING REQUIREMENTS	<table><tr><td>Permitted Use:</td><td>No. of Parking Spaces</td></tr><tr><td>Commercial: Cannabis Retail Sales Facility</td><td>1 per 30 m² floor area</td></tr></table>	Permitted Use:	No. of Parking Spaces	Commercial: Cannabis Retail Sales Facility	1 per 30 m ² floor area
Permitted Use:	No. of Parking Spaces					
Commercial: Cannabis Retail Sales Facility	1 per 30 m ² floor area					

4.	Add the following new section to PART 4 – GENERAL REGULATIONS	4.24 - “Cannabis Retail Sales Facility” Cannabis Retail Sales Facility shall comply with the following regulations: <ul style="list-style-type: none"> a) Only one (1) Cannabis Retail Sales Facility, at a time, will be permitted within the limits of the Village of Slocan. b) Must be licenced by the British Columbia Liquor & Cannabis Regulation Branch (LCRB) under the provisions of the <i>Cannabis Control and Licensing Act</i> and <i>Cannabis Distribution Act</i>, as amended or replaced from time to time. c) Is prohibited on a property located within 200 meters of the property line of a school, daycare, or youth center. <u>(*this proposed location is 356 meters from the school, daycare, and youth center)</u> d) Is prohibited as a home occupation. e) May only be located on a property approved by Council. f) May only be located in the C2: Core Commercial Zone.
5.	Add the following permitted use to C2: Core Commercial Zone	5.8.1(n) Cannabis Retail Sales Facility – on a site-specific basis.

Business Licencing

The following amendments to the Village of Slocan Business Licence Bylaw are required:

1.	Add the following definitions to PART 1 - INTERPRETATION	<ul style="list-style-type: none"> • CANNABIS ACCESSORY has the same meaning as in the <i>Cannabis Act</i> (Canada), as amended or replaced from time to time, and generally includes items such as rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers, that is represented to be used in the consumption of cannabis. • CANNABIS has the same meaning as in the <i>Cannabis Act</i> (Canada), as amended or replaced from time to time, and includes any products containing cannabis. • CANNABIS RETAIL SALES FACILITY means a facility that complies with Government of Canada regulations and is licenced to sell non-medical cannabis and cannabis accessories.
----	--	--

2.	Add the following new section	<p>9.0 CANNABIS RETAIL SALES FACILITY</p> <ul style="list-style-type: none"> a) A Cannabis Retail Sales Facility must not: <ul style="list-style-type: none"> i. advertise or promote the use of cannabis to a person under the age of 19; ii. allow a person to smoke, vape, consumer or otherwise ingest cannabis or products containing cannabis on the premises; iii. display signage that is in contravention to Provincial and Federal legislation and the Village's Sign Bylaw, including all Amendments and replacements thereto; iiiv. place any sandwich board signs outside of the premises. b) A Cannabis Retail Sales Facility must: <ul style="list-style-type: none"> i. be located on a property that has been approved by Council under the requirements of the Village of Slocan Zoning Bylaw. ii. be licenced by the British Columbia Liquor & Cannabis Regulation Branch (LCRB) under the provisions of the <i>Cannabis Control and Licensing Act</i> and <i>Cannabis Distribution Act</i>, as amended or replaced from time to time. iii. ensure that no odour is detectable from public property, neighbouring properties, or other premises within the same building. iiiv. not use the premise to carry on business other than the Cannabis Retail Sales Facility c) Only one (1) Cannabis Retail Sales Facility at a time will be permitted within the Village limits. d) Hours of operation are limited to 9:00am to 8:00pm daily. e) A Cannabis Retail Sales Facility must promptly Bring to the attention of the Licence Inspector: <ul style="list-style-type: none"> i. The name of any new on-site manager, officer, director or shareholder of the licensee; ii. Any criminal charge brought against the licensee or an on-site manager, officer, director or shareholder of the licensee.
----	-------------------------------	---

Fees & Charges

The following amendments to the Village of Slocan Fees & Charges Bylaw are required:

1.	Add the following new Schedule 'J' to the bylaw	<p style="text-align: center;">Schedule 'J' BC Liquor & Cannabis Regulation Branch <u>CANNABIS CONSULTATION</u></p> <p>Under the provisions of the <i>BC Cannabis Control & Licensing Act</i>, the Province must consult with the Local Government prior to issuing a licence for the sale of cannabis.</p> <p>Fee for assessing an application \$250.00</p>
2.	Add the following to schedule 'I': Business Licence Fees	<p><u>Category 6 – Cannabis Retail Facility</u> Any business permitted to operate a cannabis retail facility in the designated C2: Core Commercial Zone.</p> <p style="text-align: right;">\$300 per annum</p>

BENEFITS OR DISADVANTAGES AND NEGATIVE IMPACTS:

The Village of Slocan recognizes the potential that the legal cannabis industry holds for our local economy, to provide a living for residents and local business owners; and to generate revenue which supports important services that the Village provides. Applications are considered on a case-by-case basis.

In 2019, the Economic Development Partnership produced a report titled "*Slocan Valley Cannabis Synopsis*"; a report documenting the many layers of the cannabis industry in the Slocan Valley. Goals of the report highlighted understanding the socio-economic implications of legalization and how people in the industry are being affected; identifying gaps and ways to support the different tiers of the industry; and discovering opportunities that would make a big difference on a community scale. A few of the core barriers/issues identified include capacity, accessibility, financing, and licencing process.

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

- The process for the issuance of retail licensing for Liquor and Cannabis Retail is the sole jurisdiction of the Provincial government - the Liquor and Cannabis Regulations Branch (LCRB), under the [*Cannabis Control & Licensing Act*](#). Local governments are given opportunity to provide recommendation on all license applications, and must provide opportunity for community feedback prior to making formal recommendation of support or nonsupport.
- The Zoning Bylaw outlines provisions for land use within the Village of Slocan. The bylaw requires amendments to include regulations for Cannabis Retail Facilities; including definitions, location, separation distance from sensitive uses, and maximum number of facilities within the Village limits.
- The Business Licence Bylaw outlines provisions for businesses operating within the Village of Slocan. The bylaw requires amendments to include regulations for Cannabis Retail Facilities; including definitions, location, hours of operation, and other general terms.
- The Fees & Charges Bylaw outlines fees and charges set by Council for services within the Village. Schedule 'I' of the bylaw sets the rates for business licence applications based on category of business,

and will require an amendment to include fees for Cannabis Retail Facility.

- Amendments to the Zoning Bylaw require a Public Hearing, pursuant to Part 14, Division 3 of the *Local Government Act*. This is to provide an opportunity for community review of the proposal. However, if the proposal is consistent with the OCP, the public hearing requirement may be waived and notice posted, pursuant to section 464(2) and 467 of the *LGA*. This application is in line with the OCP; therefore, Council may choose to waive the Public Hearing if so desired.
- Amendments to bylaws are typically initiated by an application or proposal which does not conform to the provisions contained in those applicable bylaws. The Village currently does not have provisions in any bylaw pertaining to Cannabis Retail. Regardless of the outcome of this application, staff recommend taking a proactive stance and proceeding with the bylaw amendments.

RECOMMENDATIONS:

1. That the Application forwarded from the Liquor & Cannabis Regulation Branch, for a Non-Medical Cannabis Retail Store Licence proposed to be located at 519 Harold Street, Unit B, Slocan, be accepted by Council for consideration.
2. That staff be directed to post notice of Application for Non-Medical Retail Store Licence, and that residents be granted 30 days to submit written comment on the application.
3. That Council receive and review submissions from the public on the Application for Non-Medical Retail Store Licence at the March 15th, 2022 meeting, and consider providing a resolution to the Liquor & Cannabis Regulation Branch recommending or not recommending the Licence Application proceed.
4. That staff be directed to prepare amendments to the Village of Slocan Zoning Bylaw, Business Licence Bylaw, and Fees & Charges Bylaw, to include provisions pertaining to cannabis retail.



Michelle Gordon
Chief Administrative Officer

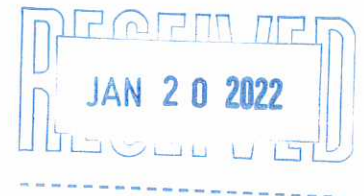


Job # 024853

January 7, 2022

Via email: info@villageofslocan.ca

Village of Slocan



Dear: Planning Department

Re: Application for a Non-Medical Cannabis Retail Store Licence

Applicant: Weed Be Delighted Inc.

Proposed Establishment Name: Weed Be Delighted

Proposed Establishment Location: 519 Harold St Unit B, Slocan BC, V0G2C0

The Applicant, Weed Be Delighted Inc., has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) licence proposed to be located at the above-noted address. The applicant contact is Jordan Knott. They can be reached at ~~250-835-1111~~ or via email at jordan.knott@weedbedelighted.com.

Local governments and Indigenous nations are a crucial part of the licensing process. Section 33(1) of the *Cannabis Control and Licensing Act* prevents the LCRB from issuing a CRS licence without a positive recommendation regarding the CRS licence application from the local government or Indigenous nation.

The LCRB is requesting the city of Slocan to consider the application and provide the LCRB with a written recommendation with respect to the application. To assist with your assessment of the application, a site map of the proposed cannabis retail store is attached. The following link opens a document which provides specific and important information and instructions on your role in the CRS licensing process, including requirements for gathering the views of residents.

Role of local governments and Indigenous Nations in cannabis retail licensing

The LCRB will initiate an applicant suitability assessment regarding this CRS application, also known as a “fit and proper” assessment of the applicant and persons associated with the applicant. Once the assessment is complete, you will be notified of the LCRB’s determination. You may choose to withhold your recommendation until the LCRB has made a final decision regarding the applicant’s suitability.

If you choose not to make any recommendation regarding this application, please contact the LCRB at the earliest convenience. Please note that a Cannabis Retail Store Licence cannot be issued unless the LCRB receives a positive recommendation from the local government or Indigenous



nation. Similarly, if a local government or Indigenous nation decides not to make any recommendation, the LCRB will not consider the application any further.

If you have any questions regarding this application, please contact me at #778-974-4274 or Tracy.Altman@gov.bc.ca.

Sincerely,

Tracy Altman
Senior Licensing Analyst

Attachment

copy: Applicant

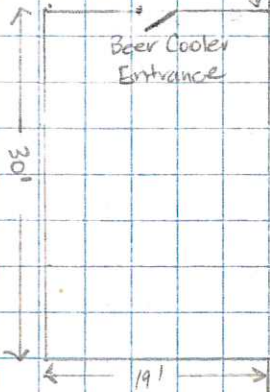
Ratio 4:1
1 Square = 4 ft

Harold Street

Ward Ave

SVM
Main
Entrance

Beer Cooler
Entrance



Stairwell

Cannabis
Store

Side Entrance to SVM

Covered Entrance/Exit
Landing to Cannabis
Store

Stairs to 2nd
Floor
Cannabis Store

Stocum Village Market
SVM

PID: 016-239-580

PID: 016-239-601

519 Harold St.

Lot 12 Block 11 Plan NEP496

Dist Lot 292

Lot 11 Block 11 Plan NEP496

Dist Lot 292

Freight Door
Entrance

40'

Lot Size 60 x 110



Cannabis Retail Licence Approval Information

Oct. 9, 2019

With more than 130 cannabis retail licences issued in BC, local governments have been working diligently to support the legal distribution of cannabis. In order to expedite provincial approvals, local governments are encouraged to provide the necessary information requirements when submitting positive recommendations.

UBCM's *Cannabis Legalization in Your Community* outlines the following requirements for a positive local government recommendation (as listed in the provincial policy guide):

- Must be in writing;
- Show that consideration was given to the proposed store location;
- Outline the views of the local government on potential impacts to the community;
- Include the views of residents (if they were gathered by the local government) and how they were gathered;
- Provide a local government recommendation and reasons for the decision.

The writing of these recommendations is most commonly done in the form of a resolution resulting from a Council/Board decision made on a case-by-case basis. In instances where a local government has delegated authority to staff to make the recommendation, the local government should send a copy of the delegation to the Liquor and Cannabis Regulation Branch (LCRB) for their records.

It is important to note that the purpose of the recommendation is for the local government to advise the LCRB regarding whether a cannabis retail licence should be issued to the cannabis retail applicant, as per the *Cannabis Control and Licensing Act*.

Providing the information listed above, as well as robust supplementary material (e.g. zoning conditions/restrictions, relevant local business regulations, other relevant conditions, and supporting documents referenced in the recommendation) supporting the local government recommendation, will help reduce potential delays in the approval process. Inability to meet requirements may limit the ability for the LCRB to accept a local government recommendation.

Applicants are also subject to the LCRB's "Fit and Proper" assessment, which includes both security screenings and financial integrity checks, in the interest of due diligence and public safety. If local governments recommend issuing a license to an applicant that does not pass this eligibility screening, the LCRB will not issue a licence to the applicant.

Local governments seeking more information regarding these requirements and the retail licence approval process may contact Allan Lingwood, Local Government Liaison at the LCRB.

Additionally, the Province has released a map of licensed non-medical cannabis stores in British Columbia. This map provides the locations of licensed private non-medical cannabis retail stores that have been inspected; as such, the number of retail stores listed on the map may differ from the number of licences issued.



THE CORPORATION OF THE VILLAGE OF SLOCAN

PO Box 50, 503 Slocan Street, Slocan, B.C. V0G 2C0

P: 250-355-2277 | F: 250-355-2666

cao@villageofslocan.ca

PUBLIC NOTICE

APPLICATION FOR NON-MEDICAL CANNABIS RETAIL STORE LICENCE

Dated this 14th day of February, 2022

The Applicant, *Weed be Delighted Inc.*, has applied to the Liquor & Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) licence, proposed to be located in the upper level of 519 Harold Street; Unit B, in the Village of Slocan.

As part of the application process, the Licensing Branch is seeking approval from the Village of Slocan. Prior to considering approval in principle, of this licence application, Slocan Council wishes to seek comments from the public.

Details of the license application and staff report are available for review at the Village Office during regular business hours, or can be viewed on the Village website's "Slocan News" page. Anyone wishing to comment on this application must do so in writing by **3pm ON MONDAY, MARCH 14th, 2022**.

Council will consider this application at the **Regular Meeting of March 15th, 2022 at 7:00pm**.

If you have any questions about this application, please call the Village Office at (250) 355-2277.

Written submissions must be signed, and may be hand-delivered to the Village Office (503 Slocan Street) or emailed to cao@villageofslocan.ca by the deadline.

