



**The Corporation of the
Village of Slokan
Memo**

MTG DATE: MAR 14/22
 ITEM: BYLAWS
 FILE: ZONING

DATE: March 14, 2022
TO: Mayor and Village Council
FROM: M.Gordon, CAO
SUBJECT: Zoning Bylaw Amendment – Cannabis Retail

ANALYSIS SUMMARY:

Attached for Council’s consideration is an amendment to the Village of Slokan Zoning Bylaw, to include provisions for Cannabis Retail Facilities.

At the regular meeting of February 14th, 2022, Council received a proposal and staff information package regarding an application for Non-Medical Retail Cannabis Licence for the property located at 519 Harold Street, Unit B. Council directed staff to prepare amendments to the Zoning Bylaw, Business Licence Bylaw, and Fees & Charges Bylaw.

The proposed amendments to the Zoning Bylaw include:

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 border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;">Permitted Use:</th> <th style="width: 30%;">No. of Parking Spaces</th> </tr> </thead> <tbody> <tr> <td>Commercial:</td> <td>1 per 30 m² floor area</td> </tr> <tr> <td>Cannabis Retail Sales Facility</td> <td></td> </tr> </tbody> </table>	Permitted Use:	No. of Parking Spaces	Commercial:	1 per 30 m ² floor area	Cannabis Retail Sales Facility	
Permitted Use:	No. of Parking Spaces							
Commercial:	1 per 30 m ² floor area							
Cannabis Retail Sales Facility								

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.

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

Public Hearings are required before adopting any OCP or Zoning bylaw or bylaw amendment. This is to provide ample opportunity for community review of the proposal. However, if the proposal is consistent with the OCP, the public hearing requirement may be waived.

In this case, the proposed changes to the zoning bylaw are considered consistent with the OCP. Council may wish to waive the public hearing requirements with the required public notice.

RECOMMENDATION:

1. That Council introduce and give first and second readings to the Village of Slocan Zoning Amendment Bylaw No. _____, 2022;
2. That Council schedule / waive a Public Hearing concerning the Zoning Amendment Bylaw on _____ at _____ p.m.



Michelle Gordon
Chief Administrative Officer

THE CORPORATION OF THE VILLAGE OF SLOCAN

BYLAW NO. ____, 2022

BEING A BYLAW TO AMEND ZONING BYLAW NO. 633

WHEREAS the Council of the Village of Slocan deems it desirable to amend the “*Village of Slocan Zoning Bylaw No. 633, 2013*” to include provisions for Cannabis Retail Facilities.

NOW THEREFORE, the Council of the Village of Slocan in open meeting assembled hereby ENACTS AS FOLLOWS:

1. That the following definitions be added to Part 2: DEFINITIONS:

- **CANNABIS ACCESSORY** has the same meaning as in the *Cannabis Act* (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 *Cannabis Act* (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. That the Part 2: DEFINITION for “**Retail, General Specialty Shop**” be deleted in its entirety, and replaced with:

“Retail, General Specialty Shop” means an establishment selling goods or merchandise to the ultimate consumer, and not for resale purposes, but specifically excludes Cannabis Retail Sales.

3. That the following be added to Section 4.21(4), Parking Requirements:

Category	Permitted Use:	No. of Parking Spaces
Commercial	Cannabis Retail Sales Facility	1 per 30 m ² floor area

4. That the following new section be added to **PART 4 – GENERAL REGULATIONS** :

4.24 - “Cannabis Retail Sales Facility”

Cannabis Retail Sales Facility shall comply with the following regulations:

- 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 *Cannabis Control and Licensing Act* and *Cannabis Distribution Act*, 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.
- 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. That the following permitted use be added to Section 4.8.1: Core Commercial Permitted Uses:

4.8.1 (n) Cannabis Retail Sales Facility – on a site-specific basis.

6. This Bylaw may be cited as the **"VILLAGE OF SLOCAN ZONING AMENDMENT BYLAW No. ____, 2022."**

READ A FIRST TIME the __ day of ____;

READ A SECOND TIME the __ day of ____

PUBLIC HEARING held on the __ day of ____

READ A THIRD TIME the __ day of ____;

FINALLY PASSED AND ADOPTED the ____ day of _____.

Mayor

Chief Administrative Officer