

CANNABIS RETAIL STORE REZONING CRITERIA

The following policy was endorsed by the City of Nanaimo Council on September 17, 2018. The intent of this policy is to be used to guide Staff and Council in considering CRS rezoning applications.

CRITERIA

1. Location

- 1.1. The proposed CRS should be located on, or in close proximity to, a provincial highway, urban arterial or urban major collector road, as defined in the City's *Functional Road Classification Working Plan*, or in an urban node, commercial centre or corridor, as designated in the City's Official Community Plan.
- 1.2. The proposed CRS should not be located directly adjacent, or in close proximity to a school or licensed daycare facility. A minimum separation of 200m from these facilities is considered necessary, as measured from the front door of the CRS to the school or daycare property line.
- 1.3. The proposed CRS should not be located within 200m of another CRS as measured from the front doors of the CRS. Where the CRS is to be located within a dense urban area (ie: downtown) consideration shall be given to the overall urban density and context of the area.

2. Building & Site

- 2.1. The size of the proposed CRS should be consistent with the nature of the immediate area and the size of existing retail stores within the area.
- 2.2. The design of the proposed CRS should enhance or improve the aesthetics of the surrounding area, not detract from them.
 - 2.2.1. The revitalization of heritage buildings is encouraged.
- 2.3. Outside the downtown core, consideration should be given to a requirement for onsite parking and loading for every CRS.

3. Community Impact

- 3.1. The applicant must outline his or her awareness of potential negative impacts of the proposed CRS on the community, and must identify the specific measures that will be taken to minimize or prevent these impacts from occurring.



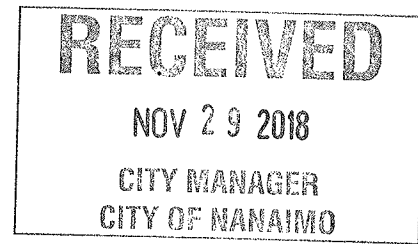
- 3.1.1. Possible measures could include efforts to prevent service to minors, minimize smells, prevent smoking or cannabis consumption on or near the premises, property maintenance and beautification programs designed to prevent unsightliness, etc.
- 3.1.2 Consideration must be given to the impact CRS's will have when they are located in close proximity to libraries, public recreation centres, public community centres, parks, places of worship and other family-oriented facilities.
- 3.2. Projected traffic volumes and on-street parking demands associated with a proposed CRS should not adversely impact nearby residential and commercial areas.
- 3.3. The support of the local community, neighbouring property owners and the local neighbourhood association for the proposed CRS is important to Council's decision.
 - 3.3.1. The applicant is required to notify all neighbouring property owners within 200m of the subject property of the rezoning application, prior to the application proceeding to Council.
- 3.4. All rezoning applications for CRS's must be reviewed by the Community Vitality Committee and the RCMP, in addition to being reviewed by the City's Community Planning and Development Committee.

APPLICATION REQUIREMENTS

In order to be considered, each rezoning application for a CRS must be accompanied by a number of specific items, in addition to the standard items which must accompany all rezoning applications. In all, each rezoning application for a CRS must include:

- a copy of the Provincial preliminary letter of approval for the proposed CRS with a description of the proposed CRS outlining:
 - the proposed size of the facility;
 - the facility's proposed operating hours;
 - the specific market segment being targeted; and,
 - measures taken to minimize odours associated with cannabis.
- a community impact statement that outlines the proposed CRS's potential:
 - positive impacts on the community;
 - negative impacts on the community; and,
 - measures to be taken to prevent and/or address the negative impacts.

ATTACHMENT B



November 22, 2018

His Worship Leonard Krog
Mayor of the City of Nanaimo
455 Wallace Street
Nanaimo BC V9R 5J6

Dear Mayor Krog and Council:

The Province has started issuing licences for the retail sale of non-medical cannabis, and we are currently in the process of assessing the applications that have been submitted to us.

Our previous consultations with local governments before the recent municipal elections indicated local governments wanted to ensure that the needs of your communities were considered as part of the licensing process. We would like to take this opportunity to explain the important role local governments have in cannabis licensing.

It is up to each municipality to determine if and where non-medical cannabis can be sold, and whether it is sold in private or government stores, or a mixture of both.

Once an application is received by the provincial government and it is deemed to contain the required information, the Province will notify the respective local government of the area where the proposed store is located.

Upon receipt of notice, local governments can:

- choose not to make any recommendation in respect of the application for a cannabis retail store licence (Note: this would end a licence application in progress because the Province cannot issue a licence unless the local government gives a positive recommendation that the licence be issued)
- choose to make comments and recommendations in respect of an application for a cannabis retail store licence.

If the local government makes a recommendation to deny the application then the Province may not issue the licence, and if a recommendation in favour of the application is made, then the Province has discretion whether or not to issue the licence, but must consider the local government's recommendation in the decision whether to issue a licence.

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Mayor and Council
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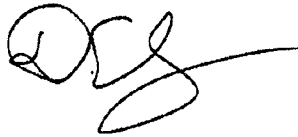
The Province will notify local governments about applications in the order that they are confirmed as complete. This ensures that you will have all the information you need to begin your process of making a recommendation.

We would also like to remind local governments that they may delegate the recommendation decision to staff.

We invite you to review the enclosed Local Government's Role in Licensing Cannabis Retail Stores for detailed information that will help you navigate the recommendation process. If after reviewing this information you have any questions, please contact Joshua Huska, Licensing Manager, by email at Joshua.Huska@gov.bc.ca.

Thank you for your consideration in this important new process.

Yours truly,

A handwritten signature in black ink, appearing to be 'David Eby', with a stylized, flowing script.

David Eby, QC
Attorney General

A handwritten signature in black ink, appearing to be 'Mike Farnworth', with a stylized, flowing script.

Mike Farnworth
Minister of Public Safety
and Solicitor General

Enclosure

pc: Chief Administrative Officer

ATTACHMENT C

Rezoning Applications Received for the Purpose of Establishing Cannabis Retail Stores

	Folder Number	Folder Type	Subject	Application Date	Issued Date
1	RA000406	REZONING	111 Nicol Street, Unit 115	Oct 22, 2018	
2	RA000407	REZONING	6683 Mary Ellen Drive, Unit 2/B	Oct 22, 2018	
3	RA000408	REZONING	3200 Island Highway North	Oct 22, 2018	
4	RA000410	REZONING	1599 Dufferin Crescent, Unit 9	Oct 25, 2018	
5	RA000411	REZONING	25 Front Street, Unit 102	Oct 26, 2018	
6	RA000413	REZONING	3923 Victoria Avenue	Nov 5, 2018	
7	RA000415	REZONING	2220 Bowen Road, Unit 9	Nov 8, 2018	
8	RA000416	REZONING	1483 Bowen Road, Unit A	Nov 15, 2018	
9	RA000417	REZONING	510 FIFTH STREET, Unit 105	Nov 15, 2018	
10	RA000418	REZONING	52 Victoria Crescent	Nov 19, 2018	
11	RA000420	REZONING	140 Terminal Avenue, Unit 7	Nov 29, 2018	

ATTACHMENT D

Cannabis Regulation

Report URLs

Cannabis Task Force Recommendations

https://www.nanaimo.ca/docs/cannabis/rpt_c180709-cannabis-task-force-recommendations.pdf