

DATE OF MEETING July 29, 2024

AUTHORED BY CALEB HORN, PLANNER, CURRENT PLANNING

SUBJECT CANNABIS RETAIL STORE REFERRAL NO. 090455 – 50 TENTH STREET

OVERVIEW

Purpose of Report

To seek Council's recommendation regarding a Cannabis Retail Store referral at 50 Tenth Street.

Recommendation

That Council recommend to the Liquor and Cannabis Regulation Branch that license application number 090455 for a Cannabis Retail Store at Unit 114 – 50 Tenth Street be issued.

BACKGROUND

A Cannabis Retail Store referral, 090455, was received from the Liquor and Cannabis Regulation Branch (LCRB) regarding a Cannabis Retail Store (CRS) license application for Inspired Cannabis Co. to operate at 50 Tenth Street – Unit 114. The subject property was previously rezoned to permit CRS as a site-specific use in 2023 (RA431).

At its regular meeting of 2024-JUL-08, Council endorsed Council Policy COU-241 – Cannabis Retail Store License Application Process (the "CRS Policy") for handling referrals from the LCRB for new or amended CRS licenses, where CRS is a permitted use.

Subject Property and Site Context

The subject property is located in South Nanaimo in the Chase River Neighbourhood. The lot contains a commercial retail plaza ("Southgate Shopping Centre") and the surrounding neighbourhood consists of commercial retail, medium-density residential, and mobile home park residential uses.

Public Notification

Pursuant to the CRS Policy, public notice was advertised electronically by posting on the City of Nanaimo website and soliciting written comments for a period of seven calendar days between 2024-JUL-11 and 2024-JUL-18.

DISCUSSION

The applicant is proposing to operate a Cannabis Retail Store in Unit 114 of the Southgate Shopping Centre at 50 Tenth Street. A previous applicant successfully rezoned the subject property to allow CRS as a site-specific use within the existing City Commercial Centre (CC3)

zone. Since that time, the previous CRS license application at the LCRB has been cancelled and a new license application has been received from Inspired Cannabis Co. The previous applicant was seeking a license for Unit 115 and the current applicant is seeking a license for Unit 114; however, the site-specific zoning applies to the legal property (Lot A, Section 7, Nanaimo District, Plan VIP86854) per the adopted Zoning Amendment Bylaw, and the change of unit number has no effect on the zoning.

The City of Nanaimo received the referral from the LCRB on 2024-FEB-29 and subsequently received LCRB confirmation on 2024-MAY-24 that the applicant is fit and proper to hold a CRS license. Prior to making a recommendation to the LCRB, Council is required by the Provincial *Cannabis Control and Licensing Act* and associated regulations to consider the following:

1. The prescribed criteria. The only criterion specified by the Province is the location of the proposed CRS. The location of the CRS was considered during the RA431 process following the Cannabis Retail Store Rezoning Criteria, and the location was determined to be appropriate for CRS use through the rezoning process.
2. The views of residents in an area determined by the local government. In accordance with the CRS Policy, a public notice has been posted electronically on the City website seeking written comments from residents within the City of Nanaimo. During the public notification period, no written comments were received.

Given the above-noted considerations, Staff recommend that Council provide a positive recommendation to the LCRB that the license be issued. The LCRB is required to take the local government's recommendation into account when deciding whether or not to issue a license, per the *Cannabis Control and Licensing Act*. |

OPTIONS

1. That Council recommend to the Liquor and Cannabis Regulation Branch that license application number 090455 for a Cannabis Retail Store at Unit 114 – 50 Tenth Street be issued.
 - Advantages of this option: The LCRB will consider the City of Nanaimo's recommendation when deciding whether or not to issue the CRS license.
 - Disadvantages of this option: None identified.
 - Financial implications: None identified.
2. That Council recommend to the Liquor and Cannabis Regulation Branch that license application number 090455 for a Cannabis Retail Store at Unit 114 – 50 Tenth Street not be issued.
 - Advantages of this option: None identified.
 - Disadvantages of this option: The LCRB will cancel the CRS license as a license cannot be issued without a positive recommendation from the local government.
 - Financial implications: None identified.
3. That Council not provide a recommendation to the Liquor and Cannabis Regulation Branch.

- Advantages of this option: None identified.
- Disadvantages of this option: The LCRB will cancel the CRS license as a license cannot be issued without a positive recommendation from the local government.
- Financial implications: None identified.

ATTACHMENTS

ATTACHMENT A: Subject Property Map
ATTACHMENT B: Site Plan

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Planning & Development