

**Relevant Excerpts from  
Cannabis Related Business Policy A-71, and  
Cannabis Related Business Referrals Procedure PR-32**

(See Policy A-71 and Procedure PR-32 for all applicable policies, procedures and regulations)

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**POLICY A-71**

**CANNABIS RELATED BUSINESSES POLICY**

**PREAMBLE**

With the legalization of recreational cannabis in Canada, the Columbia Shuswap Regional District (CSRD) will be requested to respond to licence application referrals for cannabis related businesses. This policy establishes a clear procedure and set of criteria for the CSRD to follow when responding to licence application referrals for any cannabis related business proposed in the CSRD.

**PURPOSE**

The intent of Policy A-71 is to ensure that:

- cannabis related business are located in such a manner that they are sensitive to potential impacts on the surrounding community and are located in appropriate locations;
- the CSRD is provided sufficient information in the cannabis licence application referral package; and
- adequate public consultation is conducted when the Board provides a recommendation on a cannabis related business application.

**DEFINITIONS**

CANNABIS means all parts of the genus cannabis whether growing or not, the seed or clone of such plants, including derivatives and products containing cannabis.

CANNABIS PRODUCTION FACILITY means the use of land, buildings or structures for: research and development; testing; cultivation; production; processing; storage; packaging; labeling; or distribution of cannabis and related substances, as lawfully permitted and authorized under the Cannabis Act.

RETAIL CANNABIS SALES means a business that sells cannabis as lawfully permitted and authorized under the Cannabis Control and Licensing Act.

**POLICY**

This Policy will remain in effect until it is repealed or replaced.

This Policy is in effect for the following geographic areas: all of the lands within the CSRD that lie outside

of municipal boundaries, Indian Reserves and National Parks.

For the purpose of this policy, cannabis production facilities and retail cannabis sales are collectively referred to as “cannabis related business.”

### **Part One: Licence Application Procedure**

#### 1. Preliminary Consultation

Proponents are encouraged to contact the CSRD in writing before making any final site selection decisions in order to discuss their plans with staff.

Development Services staff will review all cannabis related business application referrals for compliance with relevant land use regulations, and provide information to the applicable provincial or federal agency in respect of such regulations.

#### 2. Description of Proposed Cannabis Related Business

Referral packages provided to the CSRD for cannabis related businesses will be expected to provide the following information:

- A complete description of the proposed business (copy of the application received by Health Canada or the Liquor Control and Licensing Branch.
- The proposed layout with a site map and to-scale-drawings showing the location of the proposed facilities, and accessory buildings.
- Proposed site area and setbacks from parcel boundaries.
- Distance from schools, parks and other public spaces that are located within 1 km of the proposed business, calculated as a straight line from the edge of each parcel.

#### 3. Public Consultation

- Where the CSRD provides recommendations on a cannabis related business application, the method of gathering public feedback will be in accordance with the applicable federal or provincial legislation.
- The CSRD will take the views of residents into account when making a recommendation on a licence application.

### **Part Two: Criteria for Reviewing Licence Applications**

Notwithstanding the following, the CSRD Board may modify these criteria on a site by site basis, in consideration of local factors.

#### 1. Location of Cannabis Related Businesses

- a. Where land use zoning exists, cannabis retail sales may only be permitted in commercial zones;  
cannabis production facilities may only be permitted in industrial zones.
- b. Cannabis related businesses are not supported on:
- Residential properties
  - Land within the Agricultural Land Reserve (ALR)
  - Areas located within 300 m of schools, parks, and any other public space
- c. A minimum separation distance of 300 m is recommended between a cannabis related business and the following locations (the minimum distance is calculated as a straight line from the edge of each parcel):
- Day Cares
  - Health Care Facilities
  - Libraries
  - Parks
  - Playgrounds
  - Schools
  - Other cannabis related businesses
- d. Minimum cannabis production facility (includes all buildings and structures) setbacks from property lines:
- 60 m setback to exterior lot line
  - 90 m setback to front lot line
  - 30 m to other lot lines
- e. Minimum cannabis production facility (includes all buildings and structures) setbacks from watercourses:
- 30 m

## **PROCEDURE PR-32**

### **CANNABIS RELATED BUSINESS REFERRALS**

#### **PREAMBLE**

The following procedure outlines the steps to be taken by Columbia Shuswap Regional District (CSRD) Development Services Department staff upon receiving a notification that an application has been made for either a cannabis retail licence, or a cannabis production licence in the CSRD. This Procedure complements Cannabis Related Business Policy A-71.

## **LEGISLATIVE AUTHORITY**

The process of issuing licences for cannabis retail and cannabis production is the sole jurisdiction of the provincial and federal government. In the Province of BC, the Liquor and Cannabis Regulation Branch (LCRB) is responsible for licensing and monitoring the private retail sale of non-medical cannabis under the Cannabis Control and Licensing Act. Health Canada is the approval authority for all cannabis cultivation and processing (production) licenses under the Access to Cannabis for Medical Purposes Regulations (ACMPR) and Cannabis Act.

Local governments have been provided an opportunity to provide recommendations on all cannabis retail sale license applications and must provide an opportunity for community feedback prior to making a formal recommendation of support or non-support. Cannabis retail licences will not be issued unless the local government for the area in which the establishment is proposed to be located supports the issuance of the licence.

In the case of cannabis production licences, Health Canada is responsible for providing the licensing and oversight framework for legal production of cannabis. Through the licensing process, local governments are provided with a letter of notification by a proponent who has applied to become a licensed producer. Prior to issuing a licence, Health Canada does not require local government support of a proposal, nor does it require that public consultation be conducted. The CSRD will, however, respond to letters of notification in the same way that land use referrals are dealt with.

## **RESPONSIBILITY**

The Manager and Team Leader of Development Services, are responsible for assigning cannabis retail and production referrals to Development Services Staff (staff).

## **PROCEDURE**

### Cannabis Production Referrals:

1. The referral process starts once the CSRD receives a formal letter of notification from an applicant who has applied to Health Canada to become a licensed producer of cannabis.
2. Staff will conduct a preliminary review of notification letter to ensure that the description of the proposed production facility includes the following information:

- a. Name, address, and signature of owner(s) or agent acting on the owner's behalf;
- b. Applicable fee, as set out in *CSRD Development Services Application Fees Bylaw No. 4000*, as amended from time to time;
- c. Current Certificate of Title dated within thirty (30) days of the date of application for all affected properties;
- d. The legal description and street address of the property(s);
- e. Plans and details of the proposal, including a site plan, floor plan, signage details, number of parking stalls, and hours of operation;
- f. A community impact statement that outlines the cannabis production facilities positive impacts on the community, potential negative impacts on the community, and measures taken to address the store's potential negative impacts;
- g. A map showing day cares, health care facilities, etc. (list from 1.c. in Policy A-71) within 500 m of the subject property;
- h. Any other information requested by the Manager of Development Services or his or her designate.

3. If it is determined that the proposal does not conform to relevant CSRD bylaws, staff will discuss with the applicant if the non-conformity(s) can be considered through the approval of a land use amendment, issuance of a temporary use permit, development variance, or development permit. In situations where the proposal does not conform with Policy A-71, staff will advise the applicant to make a written request to the Board to consider modifying the criteria of the Policy to allow the proposal. The request will need to provide rationale for why a variance of the Policy is necessary.

4. Development Services staff will evaluate the information received for compliance with relevant CSRD bylaws and policies; including Official Community Plan; Zoning; and Cannabis Related Businesses Policy A-71.

5. A referral information package will be compiled by staff for review by the local Electoral Area Director, CSRD Operations Department, local RCMP, Agricultural Land Commission (if applicable) and any other relevant stakeholders. The referral package will include a site plan, description of the proposed cannabis production facility, and other relevant information obtained from the applicant. The referral response period will be thirty (30) days.

6. Following the referral period, staff will provide a written response to the applicant, Health Canada and any other agencies or individuals included in the referral process. The letter will convey how the proposal corresponds with relevant CSRD bylaws and policies and provide a summary of all input received on the application.