

**CANNABIS RELATED BUSINESSES POLICY****PREAMBLE**

Since the legalization of cannabis in Canada, the Columbia Shuswap Regional District (CSRD) has begun receiving licence application notifications and referrals for cannabis related businesses. This policy establishes a clear procedure and set of siting criteria for the CSRD to follow when reviewing cannabis related business proposals 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 comply with CSRD land use regulations and are sensitive to potential impacts on the surrounding community;
- The CSRD is provided sufficient information in the cannabis licence notification 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.

CANNABIS RETAIL 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This Policy will remain in effect until it is repealed or replaced.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 cannabis retail sales are collectively referred to as “cannabis related business.”

**Part One: Licence Application Procedure****1. Preliminary Consultation**

Proponents of cannabis related businesses are strongly encouraged to contact the CSRD to discuss their plans with staff before making any final decisions on site selection and construction.

Cannabis Related Business Referrals Procedure (PR-32) establishes the steps to be taken by 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. PR-32 should be consulted for more details on this procedure.

## 2. Description of Proposed Cannabis Related Business

Referral packages provided to the CSRD for cannabis related businesses should include the following information:

- Type of licence(s) applied for;
- Name, address, and signature of owner(s) or agent acting on the owner's behalf;
- Current Certificate of Title dated within thirty (30) days of the date of the notification for all affected properties;
- Legal description and civic address of the property(s);
- Plans and details of the proposal, including a site plan, building footprints, building setbacks from parcel boundaries, floor plan, signage details, number of parking stalls, and hours of operation;
- A listing of schools, parks, public beaches, or other public meeting spaces within \*100 m of the subject property;
- A community impact statement that outlines the cannabis related business' positive impacts on the community, potential negative impacts on the community, and measures taken to address the facility's potential negative impacts (including glare and odour);
- Location of existing access roads, driveways, rights-of-way, easements, covenant areas, wells, septic fields, vehicle parking spaces, screening and fencing;
- Location, volume, and area of any fill placement or soil removal from the property (if located in the Agricultural Land Reserve); and
- Location of any physical or topographical constraints (such as watercourses, shorelines, ravines, wetlands, steep slopes, bedrock outcrops, etc.).

## 3. Agency Referrals

- A referral information package will be prepared by staff and distributed to the local Electoral Area Director, CSRD Operations Department, RCMP, Interior Health Authority, Agricultural Land Commission (if applicable) and any other relevant stakeholders for review and feedback.

## 4. Public Consultation for Cannabis Retail Applications

- When the CSRD provides recommendations on a cannabis retail application, the method of gathering public feedback will be in accordance with Procedure PR-32.
- The CSRD will take the views of local residents into account when making a recommendation on a licence application.

## **Part Two: Siting Criteria for Cannabis Related Businesses**

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

### 1. Location

a. In cases where land use zoning exists:

- cannabis retail sales may only be permitted in zones that allow retail sales

- cannabis cultivation may only be permitted in zones that allow agriculture or cannabis production
- cannabis processing (in which more than 50% of the farm product is sourced off-site) may only be permitted in zones that allow processing or cannabis production

b. In locations where land use zoning does not exist:

- cannabis retail sales are preferred at, or near, existing retail businesses
- cannabis cultivation is preferred in areas with existing agriculture
- cannabis processing (in which more than 50% of the farm product is sourced off-site) is preferred in areas where processing or cannabis production is an established use

## 2. Minimum Separation Distance

a. Minimum separation distance\* for cannabis production facilities (includes all buildings, structures, and outdoor cultivation areas) for both zoned and un-zoned areas:

- 100 m to any residential dwelling (not including any residential dwelling on the parcel on which the facility is located)
- 100 m to any school, park, public beach, or other public meeting space

\*Separation distance is a horizontal distance measured from nearest part of the cannabis production facility to the:

- nearest exterior wall of a residential dwelling
- nearest lot line of any school, park, public beach, or other public meeting space

Refer to page 4 of this Policy for a diagram showing the minimum separation distance.

## 3. Minimum Setbacks

a. Minimum setbacks\* for cannabis production facilities (includes all buildings, structures, and outdoor cultivation areas) for both zoned and un-zoned areas:

- 15 m setback to all lot lines for cannabis production facilities that are 500 m<sup>2</sup> or less in area (total footprint of all buildings, structures, and cultivation space required for the facility)
- 30 m setback to all lot lines for cannabis production facilities that are greater than 500 m<sup>2</sup> in area (total footprint of all buildings, structures, and cultivation areas required for the facility)

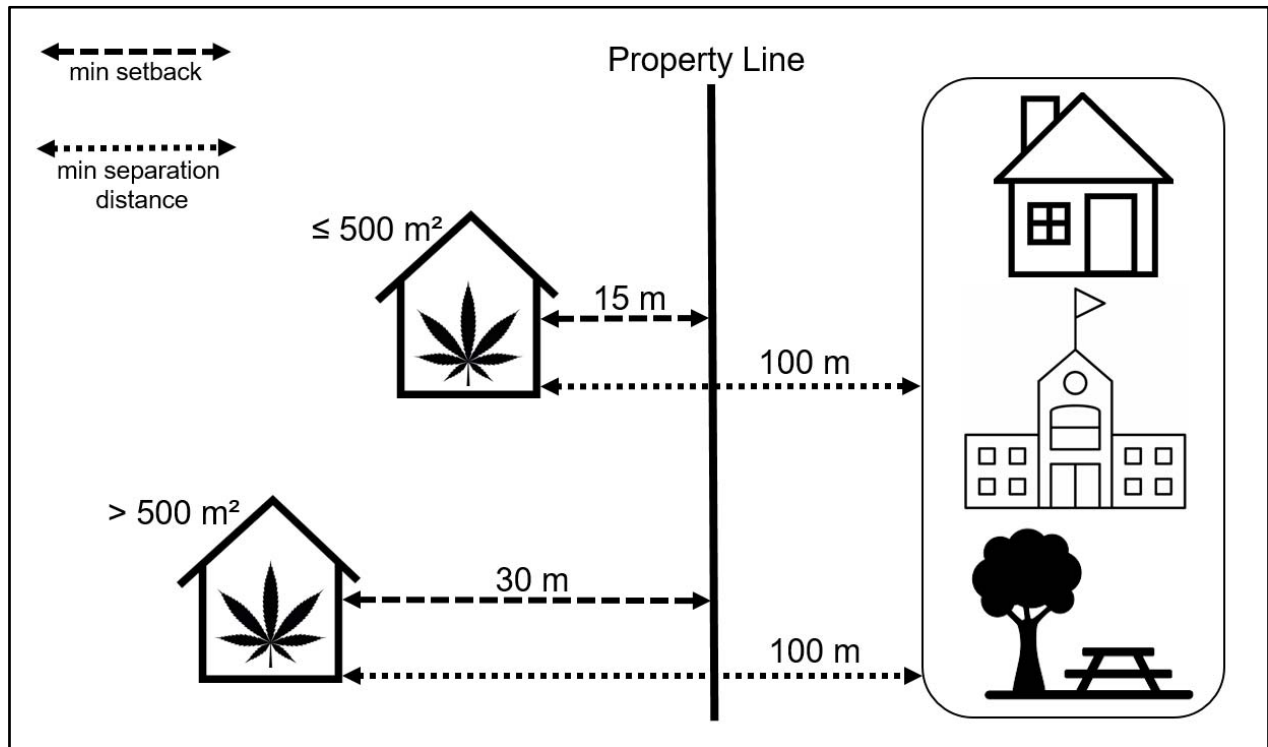
\*Setbacks are a horizontal distance measured from the nearest part of the cannabis production facility to the lot line of that parcel.

Refer to page 4 of this Policy for a diagram showing minimum setbacks.

b. Minimum setback for cannabis production facilities (includes all buildings, structures, and cultivation areas) from watercourses:

- 30 m setback

Minimum Separation and Setback Distances



ADOPTED: JUNE 21, 2018

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