

CANNABIS PRODUCTION, DISTRIBUTION, AND RETAIL 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 production and distribution facilities, and cannabis retail operations. 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 and designed in such a manner that they are sensitive to potential impacts on the surrounding community and are located in appropriate locations;
- adequate public consultation is conducted when the Board provides a recommendation on a cannabis licence application is required; and
- the CSRD is provided sufficient information in the cannabis licence application referral package from Health Canada or the Provincial Liquor Control and Licensing Branch (LCLB).

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.

RETAIL CANNABIS SALES means a business that sells cannabis but excludes the sale of cannabis for exclusively medical purposes where that sale is made in accordance with federal medical cannabis or medical marihuana enactments and regulations

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This Policy will remain in effect until it is repealed or replaced.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

CANNABIS PRODUCTION, DISTRIBUTION, AND RETAIL POLICY A-71

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. The Manager of Development Services is the designated contact person to deal with cannabis licence applications.

Development Services staff will review all cannabis related business application referrals for compliance with relevant land use regulations, and provide comments 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 LCLB).
- The proposed layout with a site map and to-scale drawings showing the location of the proposed facilities, and accessory buildings. This should include photograph simulations that clearly indicate how the proposed facilities and associated buildings and structures will appear from adjacent properties and public roads.
- Proposed site area and setbacks from parcel boundaries.
- Distance from nearby schools, parks and other public spaces.

3. Public Consultation

- If the CSRD decides to provide recommendations on a licence 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.

4. Concluding Consultation

Where a proponent has met the requirements this policy, the Electoral Area Director for the area within which the proposed cannabis related business is to be located, in consultation with Development Services staff, will determine whether staff will write a letter of support or whether the proposal will be brought forward to the Board for consideration. All letters of support or non-support will provide the decision rationale and shall be sent to the proponent (with a copy to the applicable agency) within 21 business days of the decision outcome.

Commented [JT1]: It should be noted that Health Canada and the LCLB have not yet fully disclosed how local governments will be engaged during the licence application process. Future amendments may be required to the policy once more details are revealed.

CANNABIS PRODUCTION, DISTRIBUTION, AND RETAIL POLICY A-71

Letters of support are valid for six (6) months from the date they are signed and shall only pertain to the proposal at the time that consultation requirements were satisfied. Any subsequent amendments to the proposal will require a new letter of support.

Part Two: Criteria for Reviewing Licence Applications

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 nearby 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

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

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