

# ELECTORAL AREA DIRECTORS REPORT

**TO:** Chair and Directors

**File No:** 0430 20 53 & A-71

**SUBJECT:** Cannabis Production, Distribution and Retail Policy

**DESCRIPTION:** Report from Jan Thingsted, dated May 25<sup>th</sup>, 2018.

**RECOMMENDATION #1:** THAT: the Electoral Area Directors review the proposed Cannabis Production, Distribution and Retail Policy (A-71) and advise staff of any required changes.

**RECOMMENDATION #2:** THAT: the Electoral Area Directors direct staff to bring forward a report and final version of the Policy to be considered for adoption at the June 21, 2018 regular Board meeting.

## SHORT SUMMARY:

Bill C-45, the Cannabis Act is expected to come into force as early as August 2018. This federal legislation will legalize the cultivation, processing, and retail sale of recreational cannabis across the country, subject to provincial legislation and local government regulations.

On April 19<sup>th</sup>, 2018 the CSR D Board directed staff to develop a policy which will address cannabis production and retail sale in all six CSR D electoral areas.

- see attached Board Report: "2018-04-19\_Board\_Report\_DS\_0430\_20\_53\_cannabis\_legalization.pdf"

The focus of this report is to present a draft policy along with public input gathered through an on-line comment form.

The draft Cannabis Production, Distribution and Retail Policy (A-71) is attached to this report: "2018-06-09\_A-71\_Cannabis\_Policy\_A-71\_draft."

## BACKGROUND:

While the Federal and Provincial governments are responsible for many aspects of the legalization framework, local government will still play a key role in the area of land use planning for cannabis retail stores and production facilities.

The Province of British Columbia will regulate the retail and wholesale framework and has determined that cannabis retail stores will be licensed through the Liquor Control and Licensing Branch (LCLB). Local governments have been given the option to provide comments and recommendations on all licence applications but must first gather the views of residents before responding to the LCLB with a formal recommendation of support or non-support.

The Government of Canada licenses all cannabis production facilities (cultivation and processing) and is currently reviewing their licensing process to determine how local governments and other agencies will be engaged.

At the April 19th, 2018 Board meeting, staff presented both regulatory and non-regulatory options to address cannabis legalization in the CSRD Electoral areas. The Board chose the non-regulatory approach and directed staff to develop a standalone cannabis policy.

At the time of writing this report, both the Provincial and Federal government have yet to reveal all the details regarding how local governments will be engaged during the licence application process. Future amendments may be required to the policy once more details are revealed.

### **POLICY:**

A summary of CSRD land use regulation and how they pertain to cannabis legalization was provided in the April 19, 2018 Board Report. While some Electoral Areas have cannabis specific land use regulations in place, other areas have no land use regulation or no regulations at all. The intent of this policy is to “fill the gaps” and provide clear location guidelines for areas with or without land use regulations.

### **FINANCIAL:**

Existing CSRD fees bylaws may need to be amended to recover any administrative costs associated with processing cannabis licence applications.

### **KEY ISSUES/CONCEPTS:**

The cannabis policy is proposed to include:

- Policy statements to deter cannabis related businesses from operating in residential areas.
- Locational guidelines for cannabis production facilities, and cannabis retail sales. The guidelines establish:
  - o minimum distances between cannabis related business, and sensitive locations such as schools, parks, playgrounds, day cares, and health care facilities, etc.
  - o minimum setbacks to separate cannabis related buildings and structures from parcel boundaries (on the parcel in which the business is located)
- The process and procedures for receiving and reviewing referrals and applications for cannabis production facilities, and cannabis retail sales. For example, the policy can establish:
  - o information that needs to be included in a referral package submitted to the CSRD
  - o the method for gathering public feedback

What the policy can't address:

- cannabis production for personal medical purposes (Federally regulated)
- age limits (Provincially regulated)
- distribution and wholesale (Provincially regulated)
- retail/wholesale framework (Provincially regulated)

What the policy should not address:

- additional rules regarding personal cultivation of cannabis (the Federal Government is proposing 4 plants max per residence)
- additional rules regarding public consumption of cannabis (the Province will prohibit cannabis smoking and vaping everywhere tobacco smoking and vaping are prohibited, as well as at

- playgrounds, schools, sports fields, skate parks, and other places where children commonly gather)
- capping the number of cannabis related business in a particular neighbourhood, community or Electoral Area (will be controlled by market demand)

**IMPLEMENTATION:**

Should the EAD require further amendments to the proposed policy, staff will make the changes prior to Board consideration of adoption of the policy. If this policy is adopted at the June 21, 2018 Board meeting, it will be in place prior to the proposed July 1, 2018 date that the Cannabis Act is to be enacted.

**COMMUNICATIONS:**

Public input regarding a proposed cannabis policy has been gathered since May 3, 2018 through an on-line comment form available on the CSRD's website. Paper copies were also available at the front counter and by mail upon request. Public notification of the comment form was advertised in local newspapers and through social media.

In summary, 11 comment forms were submitted from the following Electoral Areas:

- Electoral Area D – 4 responses
- Electoral Area F – 3 responses
- Electoral Area C – 3 responses
- Electoral Area B – 1 response

There was no opposition to a cannabis policy mentioned in any of the comments. Several individuals stated that cannabis should be treated no differently than alcohol while others raised the issue of odour and needing to locate cannabis operations away from daycares, places where children congregate, and other public spaces.

The complete results of the survey are attached to this report: "2018-06-09\_EAD\_Cannabis\_Comment\_Results."

**DESIRED OUTCOMES:**

That the EAD endorse the staff recommendation.

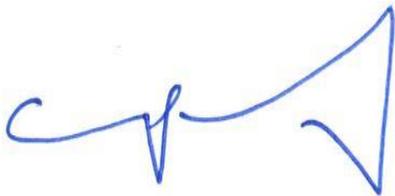
**BOARD'S OPTIONS:**

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**Report Approval Details**

Document Title:	2018-06-07_EAD_Report_DS_04302053_CannabisPolicy.docx
Attachments:	- 2018-04-19_Board_Report_DS_0430_20_53_cannabis_legalization.pdf - 2018-06-09_A-71_Cannabis_Policy_A-71_draft.pdf - 2018-06-09_EAD_Cannabis_Comment_Results.pdf
Final Approval Date:	May 30, 2018

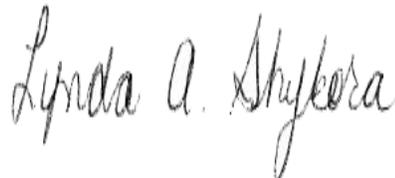
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - May 29, 2018 - 8:32 AM**

**No Signature - Task assigned to Gerald Christie was completed by assistant Jennifer Sham**

**Gerald Christie - May 29, 2018 - 8:36 AM**



**Lynda Shykora - May 29, 2018 - 2:57 PM**



**Charles Hamilton - May 30, 2018 - 8:12 AM**