



CANNABIS RETAIL STORE APPLICATION CRITERIA POLICY

Applicability: Electoral Areas

Effective Date: October 9, 2019

PURPOSE:

1. To define a process by which the Cowichan Valley Regional District (CVRD) Board will consider applications to permit new cannabis retail store locations in the Electoral Areas of the CVRD.
2. This policy was established in response to the legalization of cannabis by the federal government. It is intended to address potentially adverse community impacts of retail cannabis stores.
3. To inform the response to a request for comment on an application for a cannabis retail store license from the Liquor & Cannabis Regulation Branch (LCRB).

SCOPE:

This policy applies to all applications which would allow for cannabis retail stores within the Electoral Areas of the CVRD.

POLICY:

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

Application Procedure

1. Potential applicants are encouraged to contact the CVRD in writing prior to making any final site selection decisions in order to discuss their plan with staff.
2. The CVRD will not accept applications for cannabis retail store proposals that are not associated with an application that has been accepted by the Liquor & Cannabis Regulation Board (LCRB).
3. All applications submitted to the CVRD shall include the following:
 - a. A copy of the Provincial preliminary letter of approval for the proposed cannabis retail store;
 - b. Application form signed by the applicant and registered owner of the property (if applicable);
 - c. B.C. Company Search (dated within 30 days of the application);
 - d. Title search of the property (dated within 30 days of the application), including copies of any charges on title;
 - e. Plans in support of the application, including a site plan, floor plan, building elevations/renderings, signage details, lighting plan and parking plan;

- f. Community impact statement that outlines the potential positive and negative impacts of the cannabis retail store on the community, and measures taken to address the potential impacts; and
 - g. Application fee.
- 4. All applicants will arrange and conduct an Information Meeting to provide residents and property owners within 300 meters of the subject property with information about their application. A summary of the feedback received at the meeting will be incorporated as part of the staff report to the Board. All costs associated with the Information Meeting will be borne by the applicant, including advertising and notification expenses. The applicant will:
 - a. Mail, or otherwise deliver, written notice to residents and owners at least 10 days prior to the date of the Information Meeting advising to the public of the application and their opportunity to be heard; and
 - b. Place two consecutive advertisements in a local newspaper, appearing not less than 3 and no more than 10 days before the date of the Information Meeting advertising to the public of the application and their opportunity to be heard at the meeting.
- 5. The CVRD will refer all applications to the relevant School District, the local RCMP, the associated Advisory Planning Commission (APC) and jurisdictional neighbours for up to 30 days to ensure that their comments are considered in the Board's decision.
- 6. Staff will submit a report for consideration to the Board, which will include:
 - a. A summary of the comments from the public and a technical review of the application; and
 - b. A recommendation whether to support an application, support an application with certain conditions, or to not support an application and justification for the recommendation.
- 7. Once the Board has passed a resolution in respect to the application, notice shall be sent to the LCRB with a copy of the Board resolution.

Location

- 8. Cannabis retail stores are permitted only in zones which allow for "retail sales", "retail store" or "retail" as a principal permitted use or in the following locations, as listed in Table 1.
- 9. Only one cannabis retail store will be permitted per lot.
- 10. The proposed cannabis retail store shall not be located within a building containing residential units or on residential properties.

11. The proposed cannabis retail store must be located at least 300 meters (measured in a straight line from closest lot line to closest lot line) from:
 - a. A public or independent elementary, middle, or secondary school;
 - b. A park, institutional or water zone;
 - c. A playground, licensed daycare, sports field, community centre; or
 - d. Other areas where children and youth frequent.
12. The proposed cannabis retail store must be located at least 300 meters (measured in a straight line from closest lot line to closest lot line) from another lot where retail cannabis sales is permitted, whether or not a retail cannabis store is active or not.

Building and Siting

13. The size of the proposed cannabis retail store should be consistent with the nature of the immediate area and the size of existing retail stores within the area.
14. The design of the proposed cannabis retail store should enhance or improve the aesthetics of the surrounding areas, not detract from them. Storefronts shall not include opaque window coverings, bars on windows, metal shutters or signage in windows.
15. Signage shall be discreet and the overall design character visually appealing.
16. Consideration will be given to a requirement for onsite parking and loading for every cannabis retail store.

Approved by: Board Approval date: October 9, 2019
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APPENDIX:

Table 1. Zones by Electoral Area where Cannabis Storefront Retailing is a Permitted Use (as of August 07, 2019)

Electoral Area	Permitted Zone
Area A & C (Mill Bay/Malahat & Cobble Hill)	I-1A I-1B
Area B (Shawnigan Lake)	I-1A I-1C I-5
Area D (Cowichan Bay – Uplands)	A7
Area E – Cowichan Station/Sahtlam/Glenora)	I-1* I-1A
Area F (Cowichan Lake South/Skutz Falls)	I-1
Area G (Saltair/Gulf Islands)	Not a permitted use
Area H (North Oyster/Diamond)	Not a permitted use
Area I (Youbou/Meade Creek)	I-1
<p>* Section 11.1e of Zoning Bylaw No. 1840 (Cowichan Station/Sahtlam/Glenora) “Cannabis-related business” and “cannabis storefront retailing” are PROHIBITED at the following I-1 Zone properties:</p> <ul style="list-style-type: none"> a. Lot 6, Plan VIP6495, Section 8, Range 1, Land District 16, Except Plan 2948RW, (PID: 005-848-661) b. Lot 7, Plan VIP6495, Section 8, Range 1, Land District 16, Except Plan VIP73527, (PID: 005-848-695) c. Parcel A, Lot 1, Plan VIP18716, Section 8, Range 1, Land District 16, Portion (DD 389698I), (PID: 003-790-479) d. Lot 1 Plan VIP18716, Section 8, Range 1, Land District 16, EXC PCL A (DD 389698I) THEREOF (PID: 001-349-554) 	<p>Prohibited</p> <p>Prohibited</p> <p>Prohibited</p> <p>Prohibited</p>
<p>*means that “cannabis storefront retail” in the I-1 Zone is permitted on all parcels except for the four properties noted.</p>	