

# REGIONAL DISTRICT OF NANAIMO

## POLICY

SUBJECT: <b><i>Non-medical Cannabis Retail Store Licence Applications</i></b>	POLICY NO: B1.24 CROSS REF.:
EFFECTIVE DATE: May 22, 2018	APPROVED BY: Board
REVISION DATE:	PAGE: 1 of 3

### PURPOSE

This document is intended to outline the process employed by the Regional District of Nanaimo in the review and processing of requests for local government resolutions for non-medical cannabis (NMC) retail store licence applications.

### POLICY

#### 1. Applications

##### a) Application Forms

Applications for a Board resolution shall be made to the Manager of Current Planning on the form provided by the Manager, and shall contain the following at a minimum:

- i) Name, address, and signature of the applicant
- ii) Name, address, and signature of registered owner, if different from the applicant, or a letter of consent from the owner, if the applicant is not the owner
- iii) Title search for the property (dated within 30 days of the application), including copies of any charges on title, and corporate registry search (if applicable)
- iv) The legal description of the property and street address of the property
- v) Plans in support of the application, including a site plan, floor plan and signage details in a format consistent with the RDN's development permit application requirements
- vi) A description of the proposed NMC retail store, including: the proposed store's size, proposed hours of operation and specific market segment being targeted
- vii) A community impact statement that outlines the NMC retail store's potential positive impacts on the community, potential negative impacts on the community, and measures taken to address the store's potential negative impacts
- viii) Identification of any sensitive uses and NMC retail stores within the specified separation distance from the subject property established in the Community Impact Evaluation Criteria section of this policy
- ix) A copy of a completed Liquor Control and Licensing Branch (LCLB) application form.

b) Application Fees

At the time of application for a local government resolution the applicant shall pay the Regional District of Nanaimo an application fee in the amount set out in Regional District of Nanaimo Fees and Charges Bylaw No. 1259, 2002, and any amendments thereto.

**2. Community Impact Evaluation Criteria**

The Board may consider the following when providing a resolution with respect to an application for a new NMC retail store licence, or an amendment to an existing licence:

- i) Location of the proposed NMC retail store
- ii) The proximity of the proposed NMC retail store to existing NMC retail stores and sensitive uses, including schools, playgrounds, community centres and daycares, which are in operation at the time the application is made. A separation distance of 300 metres should be provided between the subject property and properties containing these uses
- iii) The size of the proposed NMC retail store and proposed hours of operation
- iv) The number and market focus or clientele of liquor primary establishments in proximity to the proposed NMC retail store
- v) Traffic and parking
- vi) Official Community Plan policies and zoning allowing for 'retail store' as a principal permitted use
- vii) Population, density, and trends in the surrounding community
- viii) Relevant socio-economic information
- ix) Referral responses and comments received through public notification
- x) The impact on the community if the application is approved.

**3. Public Consultation**

The Regional District of Nanaimo will solicit and receive the views of residents that may be impacted by the application as follows:

a) Public Meetings

The RDN shall hold a hearing, which shall be advertised in accordance with this policy. On the date identified in the public notice, the Electoral Area Director or designate, will hear the applicant and members of the public it considers may be impacted if the NMC retail store licence is granted. The RDN may, at its discretion, hold a public information meeting prior to the hearing to facilitate additional consultation with the public.

Where an application for a local government resolution is associated with an Official Community Plan (OCP) Amendment or an application for land use and subdivision bylaw change, the hearing for that application shall be used to obtain public input on the NMC retail store licence application.

b) Minor Amendments

Notwithstanding the above the Board may also consider a minor amendment application to an existing NMC retail store licence, without the requirement to hold a hearing, if the proposal is not anticipated to negatively impact the surrounding community and complies with other applicable RDN bylaws and policies. All other requirements of this policy must be met and notice of the Board's consideration of the licence amendment application will be provided in accordance with the public notification requirements of this policy.

c) Notification Requirements

Public notification of the proposed NMC retail store will be required as follows:

- i) Upon receipt of a complete application the applicant shall post a notice on the subject property in a format prescribed by the Manager of Current Planning in a location unobstructed to view from the adjacent highway or street, advertising that the property is subject to an NMC retail store licence application.
- ii) The RDN will mail, or otherwise deliver, written notice to owners and tenants in occupation of any part of a parcel which is the subject of the application, and within a distance of 300 metres of all parcels that are the subject of the application at least 10 days prior to the date of the hearing advising the public of the application and their opportunity to be heard at the hearing.
- iii) The RDN shall place two consecutive advertisements in a local newspaper. The publication will appear not less than 3 nor more than 10 days before the date of the hearing advising the public of the application and their opportunity to be heard at the hearing.
- iv) The purpose of the letter and newspaper notice will be to:
  - inform the public that the Board has received a request for a local government resolution for a NMC retail store licence
  - identify the general terms and intent of the application
  - make available the time and date on which public representations will be heard by the Board, or designate
  - outline any proposed changes to an existing NMC retail store licence if the application is for an existing licensed NMC retail store.

#### **4. Consideration of Applications**

A report on a NMC retail store licence application shall be submitted to the Electoral Area Services Committee and shall contain: details of the application; an evaluation of the proposal; a summary of referral responses and comments received through public consultation; and a draft resolution for the Board's consideration. The Board may approve the draft resolution, amend the draft resolution and approve it, or provide no comment regarding the application.