

## Liquor / Cannabis Application Form

- LIQUOR Primary     LIQUOR Amendment to Existing Liquor Primary  
 LIQUOR Food Primary     LIQUOR Temporary Amendment to Existing License  
 CANNABIS Retail

### OFFICE USE ONLY

Application Fee: \_\_\_\_\_      Receipt No. \_\_\_\_\_      File No. \_\_\_\_\_

### SECTION 1: DESCRIPTION OF PROPERTY (AS INDICATED ON THE STATE OF TITLE CERTIFICATE)

Legal Description \_\_\_\_\_  
 Civic Address \_\_\_\_\_  
 Electoral Area \_\_\_\_\_      Parcel Identifier (P I D) \_\_\_\_\_

### SECTION 2: OWNER INFORMATION (ATTACH ADDITIONAL PAGE IF MORE THAN TWO OWNERS)

1) _____ Name _____ _____ Mailing Address _____ _____ Town / Province      Postal Code _____ Telephone/ Cell      Fax _____ Email _____	2) _____ Name _____ _____ Mailing Address _____ _____ Town / Province      Postal Code _____ Telephone/ Cell      Fax _____ Email _____
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### SECTION 3: AGENT INFORMATION (TO BE COMPLETED IF THE APPLICANT IS NOT THE OWNER)

Name \_\_\_\_\_      Mailing Address \_\_\_\_\_      Town/Province \_\_\_\_\_  
 Postal Code \_\_\_\_\_      Telephone/ Cell \_\_\_\_\_      Fax \_\_\_\_\_      Email \_\_\_\_\_

\*NOTE: IF THE APPLICANT IS NOT THE REGISTERED OWNER A LETTER OF AUTHORIZATION WILL BE REQUIRED

### SECTION 4: DESCRIPTION OF PROPOSAL

I/we, the registered owner(s) of the property legally described on this application, hereby make application as follows:

Type of Licence: \_\_\_\_\_

Description of Operation: \_\_\_\_\_

### SECTION 5: APPLICATION COMPLETION CHECKLIST:

ALL MEASUREMENTS TO BE IN METRIC

- A copy of state of title certificate(s) and corporate registry search (if applicable) dated within past 30 days
- Copy of completed Liquor and Cannabis Regulation Branch (LCRB) application form
- Application fee as required by Bylaw No. 1259, 2002
- Letter of rationale addressing all application requirements as outlined in Policy No: B1.24 *Non-Medical Cannabis Retail Store Licence Applications* or Policy B1.6 *Liquor License Applications*
- Plans in support of the application
- Electronic copies of all plans

Additional information may be required, such as:

- Two (2) copies of site survey plans certified by a BC Land surveyor
- Letter of Authorization (if applicant is not the property owner)
- Other \_\_\_\_\_

### SECTION 6: Applicant Signature

I hereby declare that all the above noted statements and information contained in this application and supporting documents are true and correct.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Name (Please Print)

I would prefer all correspondence via:  email  regular mail

In order to process your application, please provide all necessary documentation with your application. Please retain a copy of the submitted application for your records. Contact the RDN Planning Department for assistance.

Submit the completed application form, required fee, plans, and supporting material to the Regional District of Nanaimo. The fee is payable to the "Regional District of Nanaimo".



# Letter of Authorization

for Representative / Agent

Date: \_\_\_\_\_

As the registered owner(s) of the following property:

Civic Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

I / We hereby authorize the following person to act as agent on my / our behalf in all matters pertaining to the application for development on the above noted property and by doing so will be deemed to know of and to understand the contents of the applications and associated documents. I / We acknowledge the authority of the agent to bind me/us in all matters relating to the work to be performed under the following applications (please check all applicable):

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> OCP Amendment        | <input type="checkbox"/> Rezoning                    | <input type="checkbox"/> Subdivision       |
| <input type="checkbox"/> Development Permit   | <input type="checkbox"/> Development Variance Permit | <input type="checkbox"/> Board of Variance |
| <input type="checkbox"/> Temporary Use Permit | <input type="checkbox"/> Agricultural Land Reserve   | <input type="checkbox"/> Other             |

\_\_\_\_\_  
*Owner Name (please print)*

\_\_\_\_\_  
*Owner Name (please print)*

\_\_\_\_\_  
*Signature of Owner*

\_\_\_\_\_  
*Signature of Owner*

## **Agent's Information**

\_\_\_\_\_  
Agent's Name

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
City

\_\_\_\_\_  
Postal Code

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Fax No.

\_\_\_\_\_  
Cellular Phone

\_\_\_\_\_  
Email

Personal information collected on this form is collected for the purposes of processing this application and for administration and enforcement. The personal information is collected under the authority of the *Local Government Act*, Regional District of Nanaimo Bylaws and pursuant to section 26 of the *Freedom of Information and Protection of Privacy Act*.

# Property Declaration Form

for Riparian Areas, Nesting Trees,  
Coastal Floodplain, and Site Profiles

<b>Civic Address:</b>	<b>9 Digit PID:</b>
<b>Legal Description:</b>	

## Riparian Areas

I (we) acknowledge that the province of British Columbia enacted the *Riparian Areas Regulation* to protect the critical features, functions, and conditions required to sustain fish habitat. Furthermore, this legislation prohibits the Regional District of Nanaimo (RDN) from approving or allowing a development to proceed adjacent to a watercourse until it has received notice that a report prepared by a Qualified Environmental Professional has been received by the Ministry of Environment & Climate Change Strategy.

I (we) understand that a water feature includes any of the following:

- a) any watercourse, whether it usually contains water or not;
- b) any pond, lake, river, creek or brook; and/or,
- c) any ditch, culvert, spring, or wetland.

I (we) declare that I (we) are familiar with the property and area, and have inspected the property and immediate area for the existence of any water features. I (we) declare that (***please check the one that applies***):

- that there are no water features located on the subject property; or
- there are water features located on the subject property.

I (we) declare that all proposed development including land alteration, vegetation removal, alteration or construction of a building or structure (please check the one that applies):

- is greater than 30.0 metres from a water feature; or
- is less than 30.0 metres from a water feature.

## Coastal Floodplain

I (we) acknowledge that a building located in a marine coastal area may be subject to flooding as a result of high tides, storm surges and wave effects.

I (we) declare that we are familiar with the property and area, and have inspected the property and immediate area for the existence of the marine coast.

I (we) declare that (***please check the one that applies***):

- the property is located more than 100 metres from the marine coast; or
- the property is located less than 100 metres from the marine coast.

**Eagle and Heron Nesting Trees**

I (we) acknowledge that the *Wildlife Act* protects Bald Eagles and Great Blue Herons, their eggs and nests. Bald Eagles and Great Blue Herons are sensitive to development near their nesting sites and may return to a nest that has been unused for a number of years.

While the provincial government and the RDN undertake mapping of nesting sites from time to time, not all are mapped. Some on private property may have been undetected, and new nests are continually being built. Typically, a 60 metre radius for an eagle nesting tree and depending on the level of development in an area, a 60 - 300 metre radius for a heron nesting tree (or trees) is considered to be sensitive to disturbance. Electoral Areas A, E, G and H require that a development permit be obtained prior to development near an eagle or heron nest.

Mapped eagle and heron nest trees can be found on the Community Mapping Network at [www.cmnmaps.ca/WITS/](http://www.cmnmaps.ca/WITS/) and [www.cmnmaps.ca/GBHE/](http://www.cmnmaps.ca/GBHE/).

I (we) declare that I (we) are familiar with the property and area, and have inspected the property and immediate area for the existence of eagle or heron nests prior to completing this form. I (we) declare that (***please check the one that applies***):

- there are no eagle or heron nesting trees on or within 100 metres of the subject property;
- there is an eagle or heron nesting tree on or within 100 metres of the subject property.

**Site Profile** - section to be completed for demolition, subdivision, rezoning, development or development variance permit

I (we) acknowledge that when an application is made to the RDN, Section 40(1) of the *Environmental Management Act* requires that a Site Profile be completed when the applicant knows, or reasonably should know, that the land is being used or has been used for industrial or commercial purposes of the type listed in Schedule 2 of the *Contaminated Sites Regulation*, unless otherwise exempt under the Regulation. Please find the list of Schedule 2 activities and Site Disclosure Statement on the Government of BC website at [www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/site-identification](http://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/site-identification). Please contact the RDN Planning Department if any of the activities listed in Schedule 2 apply to the subject property.

I (we) declare that (***please check the one that applies***):

- I (we) have read the *Contaminated Sites Regulation* Schedule 2 document, and determined that the subject property has been used for purposes listed in Schedule 2, and filled out the Site Disclosure Statement; or
- I (we) have read the *Contaminated Sites Regulation* Schedule 2 document and am (are) not required to submit a Site Disclosure Statement as to my (our) knowledge, the subject property has not been used for any of the activities listed in Schedule 2; or
- I (we) have read the *Contaminated Sites Regulation* Schedule 2 document and am (are) exempted from being required to submit a Site Disclosure Statement under Section 4 of the *Contaminated Sites Regulation*. I (we) have provided the following information in support of this exemption: (List information below, use additional pages as required)

**DECLARATION SIGNATURE**

Please provide an additional page with owners' names and signatures if required.

I (we) declare that I (we) have read and filled out the above form.

\_\_\_\_\_  
Owner 1/Agent (Print Name) (Signature) (Date)

\_\_\_\_\_  
Phone: Email:

\_\_\_\_\_  
Owner 2/Agent (Print Name) (Signature) (Date)

\_\_\_\_\_  
Phone: Email:

\_\_\_\_\_  
Owner 3/Agent (Print Name) (Signature) (Date)

\_\_\_\_\_  
Phone: Email:

**OR if the owner is a Corporation or Limited Company:**

\_\_\_\_\_) )  
(Company Name) ) Corporate Seal (Date)  
\_\_\_\_\_) )  
Authorized Signatory

**Witnessed By:**

\_\_\_\_\_  
Witness (Print Name) (Signature) (Date)

\_\_\_\_\_  
Phone: Email:

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# 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 4

### 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.