



Alberni-Clayoquot Regional District

NON-MEDICAL CANNABIS RETAIL STORE (NMC) LICENCE APPLICATION REVIEW POLICY

Policy Issued by: Board of Directors
Date Adopted: July 25, 2018
Date(s) Amended:

1.0 POLICY GUIDELINE

The intent of this policy is to provide guidance to the public and Alberni-Clayoquot Regional District's (ACRD) when considering non-medical cannabis (NMC) retail store referrals from the Liquor and Cannabis Regulation Branch (LCRB).

Applications for NMC stores are made to LCRB. The LCRB then refers proposed NMC store applications to the appropriate Local Government. The Local Government may then pass a resolution supporting or not supporting the proposed NMC store.

2.0 PURPOSE

The purpose of this policy is to provide the public, staff and the ACRD Board guidance when reviewing NMC retail applications.

Should it be determined that a NMC store is inappropriate, incompatible or unviable at a particular location, the Board may pass a resolution not supporting the NMC store.

3.0 POLICY

3.1 Regulation

The ACRD Zoning Bylaw regulates use of property within the ACRD. NMC retail stores will only be considered for properties that are zoned for commercial for retail use and where the retail use is a principal use.

3.2 Public Consultation

If the ACRD Board is considering a LCRB referral for a NMC retail store, the Board will solicit and receive the input from the relevant Advisory Planning Commission (APC), impacted residents and property owners. Input will be gathered as follows:

3.2.1 Public Meeting

- a. The LCRB referral and ACRD staff report will be referred to the relevant APC.
- b. The ACRD Board will hold a public meeting. The public meeting will be advertised in accordance with this policy, on the date identified in the public notice. The public meeting may be held before the entire Board or delegated to an individual Director.
- c. The purpose of the public meeting will be to hear the applicant and members of the public that the Board considers may be impacted by the proposed NMC retail store.

- d. Where an application for a local government resolution is associated with Official Community Plan (OCP) amendment or a rezoning application, the public hearing for that application will be considered the public input for the NMC retail store license application.

3.2.2 Public Meeting Notification:

- a. Notification of the meeting is sent to all owners and occupiers of properties within 300 metres of the subject property.
- b. Notice of public meeting will be posted on the subject property.
- c. The ACRD will place one advertisement in a local news paper not less than 3 days and not more than 10 days before the date of the public meeting.
- d. The meeting is typically chaired by an electoral area Director and is attended by ACRD planning staff along with the applicant. Copies of the technical agency referral responses and any other written correspondence received (related to the proposal) are provided at this meeting.

3.2.3 Public Meeting Procedures

- a. The public meeting may be held before the Board or delegated to an individual Director. If held before the Board, the meeting will be chaired by the Chairperson. If the meeting is delegated, the meeting will be chaired by the Director of the ACRD delegated through a Board resolution.
- b. Written and/or verbal presentations from the applicant and members of the public may be made.
- c. Presentations will have a maximum time limit of 10 minutes. After everyone has had an opportunity to speak for a first time, second time speakers will have a 5 minute time limit to present new information. The chairperson will have the discretion to modify the time limits and/or number of times a presenter may speak.
- d. ACRD staff will take minutes.

3.2.4 Procedures after the Public Meeting

- a. The Board will not invite new information and endeavour to not accept new information after the public meeting is terminated.
- b. If a public meeting is delegated, minutes of the meeting and copies of all written correspondence and presentations will be presented to the ACRD Board.
- c. Following the public meeting, the Board may pass a resolution supporting or not supporting the application for a NMC retail store or request more information and schedule another public meeting.

3.3 Criteria

In evaluating a NMC retail store referral from the LCRB the ACRD Board must consider the location of the proposed NMC retail store and in addition may consider the following:

- a. 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 subject property and properties containing these uses;
- b. The size and character of the proposed NMC retail store and the proposed hours of operation;
- c. The number and market focus or clientele of liquor primary establishments in proximity to the proposed NMC retail store;
- d. Traffic and parking;

- e. OCP policies and zoning that allow “other retail stores” as a principal use;
- f. Population, density and trends in the surrounding area;
- g. Relevant socio-economic information;
- h. Referral responses and comments received through public notification; and
- i. The impact on the area if the application is approved.
- j. Other information that is pertinent to the referral.

4.1 APPLICATION

This policy applies to all properties within the ACRD. Where the issuance of the NMC retail store licence may affect nearby residents, the ACRD must provide to the LCRB comments and recommendations that are:

- i. In writing;
- ii. Include the views of the ACRD on the general impact on the community;
- iii. Include the views of the residents;
- iv. Describe the method used to gather the views of residents;
- v. Indicate whether the application should be approved or rejected; and
- vi. State the reasons for the recommendation.

4.2 RESPONSIBILITY

Planning and Development Services Department.

5.0 POLICY AMENDMENT

This policy may be amended by the Board of Directors as needed.