

**Date:** October 2, 2018  
**To:** Nikki Gilmore, Chief Administrative Officer  
**From:** Lisa Pedrini, Senior Planner  
**Subject:** Recreational Cannabis Retail Sales – Amended Policy

---

## **PURPOSE**

The purpose of this report is to present to Council for their approval an amended Draft Policy that describes the proposed approach to regulate non-medical (recreational) cannabis retail sales and use in the Village of Pemberton.

## **BACKGROUND**

On September 4, 2018 Staff presented, for the Committee of the Whole's consideration, a Draft Non-Medical (Recreational) Cannabis Retail Policy that would establish criteria for cannabis retail sales in the Village of Pemberton and guide decision making on provincially referred applications. The recommendation of the Committee was brought forward to the Regular Council Meeting No. 1476 held later that day and the following resolution was passed:

*Moved/Seconded*

***THAT*** the Committee of the Whole recommend to Council that the Draft Cannabis Retail Policy be supported, subject to the removal of the distancing requirements from public spaces and other cannabis retail businesses; the addition of limiting cannabis retail to the C-1 Zone with a cap of two; the addition of an assessment fee of no less than \$500; amendment to the permitted hours of operation to align with provincial legislation; and the amendment of the Business Licence fee to no less than \$1,500 annually;

***AND THAT*** once amended, the Draft Cannabis Retail Policy be referred to the public and the following stakeholders for review and comment by the end of September: RCMP, Vancouver Coastal Health, Pemberton Medical Clinic, Sea to Sky Community Services, the Lil'wat Nation, Squamish-Lillooet Regional District, Pemberton and District Chamber of Commerce, Tourism Pemberton, Schools and School District #48.

***CARRIED***

## **REFERRAL COMMENTS**

The amended Draft Policy was referred out to important stakeholders and the following responses were received by the Village.

### **Lil'wat Nation**

In a phone conversation, Harriet VanWart Director, Land and Resources Department, Lil'wat Nation advised staff that the item was referred to their Lil'wat Nation Land Use Referral Committee, whom in turn referred it to Chief and Council. The next Lil'wat Nation Council meeting is scheduled for the same date/time as the next Village of Pemberton Council's, so Lil'wat are not yet able to respond to this referral.

### **Pemberton and District Chamber of Commerce**

In an email dated September 25 2018, Graham Turner, President of the Chamber responded by noting that the Board of Directors did not have any issues with the Draft Policy and that Chamber members, who were encouraged to fill out the survey as a means of giving their individual feedback, did not forward any critique of the policy, but rather only two positive responses were received.

### **Pemberton Medical Clinic**

In an email received September 27 2018, Dr. Jim Fuller noted that the position of the Pemberton Medical Clinic is that they cannot oppose Cannabis Retail but feel it should be regulated in the same manner (or even stricter) as a liquor store. They see benefit in using the Temporary Use Permit process as a means to test the use in case there are problems, rather than predetermining the zoning which would be difficult to revoke in that eventuality. They would like to see posters/notices explaining that cannabis may cause addition/impaired driving/mental health problems.

### **Pemberton Secondary School**

In a letter dated September 18, 2018, Krista Brynjolfson, Principal of Pemberton Secondary noted their opposition to the removal of setback requirements in the Draft Policy. She encouraged Council to consider increasing setback limits to 300 m which would bring them into line with most other municipalities. This letter is attached as **Appendix A**.

### **RCMP**

In an email dated September 25, 2018, Corporal Mike Hamilton responded with five main points:

- Restricting the use to the Town Centre (C-1) zone is preferred over the Industrial Park (M-1) zone as it is believed this may increase impaired driving.
- Not using a distance requirement of higher than 100 m from schools, daycares, libraries, playgrounds and other locations minors congregate does not seem socially responsible.
- The maximum number or cap of two (2) stores is supported.
- It is recommended that the Village restrict the hours of operation from 9 am to 9 pm to limit impaired driving from those that may [impulsively] decide to purchase cannabis after leaving restaurants or bars downtown.
- It is recommended that the Village take a stricter approach to where cannabis retail can be consumed. The concern was that marihuana smoke is exponentially more odorous than tobacco, and that its use affects those greater especially those in close proximity. Consuming cannabis in public should be treated similar to open alcohol. Walking down the street smoking cannabis would not be socially acceptable to be in the same way

that it is not socially acceptable walk down the street drinking a bottle of liquor, in that both are consumed to become, to a degree, impaired or intoxicated.

### **School District #48**

In a letter dated September 18, 2018, Mohammed Azim, Secretary-Treasurer for School District #48, outlined the Board of Education's strong opposition to the proposed abolishment of setback limits in the Draft Policy. They noted having a similar situation recently in the District of Squamish, and encouraged the Village of Pemberton to consider increasing setback limits to 300 metres. Any changes to the reduction or abolishment of the proposed limits [i.e., 100m] would be a significant concern and would not be supported by the Board of Education. Their letter is attached as **Appendix B**.

### **Sea to Sky Community Services**

No response was received from Sea to Sky Community Services.

### **Signal Hill Elementary School**

In a phone conversation held September 26, 2018, Roberta Kubik, Principal, Signal Hill Elementary expressed the preference for requiring a rezoning application, rather than pre-zoning areas to allow the use in Pemberton. She acknowledged that distance requirements were difficult to implement given the sheer size of Pemberton, and emphasized instead the importance of awareness and education, both for kids and adults, on the potential negative effects of Cannabis use on the brain and adolescent mental health.

### **Squamish-Lillooet Regional District**

In a letter dated September 13 2018, Staff from the SLRD Planning Department responded by noting that SLRD interests are unaffected by the proposed policy, but that staff are supportive of the opportunity for input. They appreciate the use of a policy to clearly outline conditions of use. They note that the land use and zoning parameters seem reasonable. They recommend that the Village also provide notice in the local newspaper, in addition to the written notification to those within 100 m of a potential Recreational Cannabis retailer. Their letter is attached as **Appendix C**.

### **Tourism Pemberton**

In an email dated September 26 2018, Mark Mendonca, President of Tourism Pemberton, indicated that the Board of Tourism Pemberton will refrain from comment at this time, but will continue to discuss at a future Board Meeting.

### **Vancouver Coast Health**

In an email dated September 11 2018, the Village was notified that the Medical Health Officer Dr. Mark Lysyshyn approves of the proposal from a health perspective but recommended that the more restrictive hours of operation that Staff had originally proposed (9am-9pm) be implemented instead of permitting operation to occur between 9am-11pm. The rationale was that current research shows that longer operating hours may increase harm and impaired driving.

## **PUBLIC CONSULTATION**

The Village amended the Policy based on Council's directions and posted the amended version on its website with a short survey to solicit feedback from the community at large. The survey was available for two (2) weeks from September 10<sup>th</sup> to September 24, 2018 and garnered one hundred (100) responses. The response rate represents nearly 5% of the population of Pemberton. Staff also hosted two (2) pop-up consultation booths at the Farmers' Markets held Friday September 7<sup>th</sup> and 21<sup>st</sup>. The total response includes those who filled out paper copies during the market and those that participated on-line. A general summary of the results follows:

- **Demographics**

The majority of respondents identified themselves as 'Residents of Pemberton' (69%) and 'Property Owners within the Village of Pemberton' (40%). Less than one quarter of the respondents noted they were 'Business Owners within the Village of Pemberton' (22%). The majority of respondents were aged 35 – 44 (36%), with 44-54 being the second highest age group (25%), and those aged 25 – 34 the next highest (18%).

- **Support for Notifying Residents, Businesses and Property Owners within 100 m of a potential location**

The majority of respondents (62%) supported the proposed notification process to inform residents, property owners and businesses within 100 m of a potential Cannabis retail location. More than a quarter (27%) did not support the proposed method of notification and 11% were unsure. For those that did not support the proposed method of notification, approximately half felt that unless a similar notification process was necessary for alcohol sales, it was not necessary for Cannabis sales, while conversely the other half felt the notification distance requirement should be expanded.

- **Support for Permitting the Use in Pemberton's Downtown**

A high percentage of respondents (78%) supported the Village's intention to amend the Zoning Bylaw to allow Cannabis Retail Business in the Town Centre Commercial (C-1) Zone. Less than one quarter (21%) of respondents expressed their opposition to this direction and one person (1%) noted they were unsure.

The survey asked those 'not in support of permitting Non-Medical Cannabis Retail in the C-1 Zone', to answer where they felt was the most appropriate location or zone was. Out of the twenty-nine (29) respondents that answered this question, over half (15/29) suggested the 'Industrial Park'. An equal number of respondents (5/29) felt it was more appropriate to locate it in "*any commercial zone*" as opposed to those (5/29) who did not want to see it "*anywhere in the Village.*"

The following are samples of the range of qualitative data received to this question:

- "*Industrial. But I feel I could keep an eye on my children easier if it was in town.*"

- *“Industrial area – further away from schools, parks and where my children frequent.”*
- *“All locations should be considered. Limiting the zone shows a biased benefit for those property owners.”*
- *“We do not believe the sale of non-medical cannabis in our community should be encouraged in any way. With a large First Nations community already struggling with addiction and an increasing young family community, we feel - despite recent changes in the legalization of cannabis - that this does not support the type of community we want to be part of.”*

- **Support for Restricting the Use to the C-1 instead of using Distance Requirements**

When asked to indicate their support for not using distance requirements to separate the use from schools and other youth-oriented uses such as the community centre and the skateboard park, and instead confining the use to the Town Centre (C-1) Commercial Zone, a little more than half of respondents (52%) supported this direction. Approximately one third (32%) did not support this and 17% were unsure.

- **Support for Restricting the Number of Retail Cannabis Business in Pemberton to Two**

Similarly, when asked to indicate their support for not applying distance requirements from one retail business to another to avoid a concentration of the use in any one area, and instead restricting the total number of Cannabis retailers to a maximum of two (2), a little more than half (53%) supported this direction, less than one third (30%) did not support this and 17% were unsure.

- **Support for not restricting Business Hours**

When asked whether respondents supported the proposed maximum operating hours of 9am to 11 pm, a majority (59%) of respondents were supportive, while 36% were not supportive and 4% were unsure.

For the 36% respondents that did not support the proposed operating hours of 9am to 11 pm, the majority of these (62%) preferred limiting the operating hours to 9am to 9pm, with the remaining (38%) noting that 9am to 6pm would be more appropriate. Many also responded that it should be the same as the BC liquor store, and a few suggested the possibility of closing at 6pm on Sundays.

- **Further Suggestions**

The survey asked respondents to share any other suggestions they had on this Policy. The following are samples of further comments made:

*“Keep signage discreet. Make decisions based around how impressionable our children are.”*

*“Signs in the store and on packaging - Do not Smoke and Drive”*

*“Keep the costs reasonable – do not limit the opportunity for smaller businesses to open, or we will only encourage pot monopolies.”*

*“Consider cannabis in the same vein as liquor sales.”*

*“Put an additional buffer for commercial spaces with residential units. Apply distance requirements for mixed use buildings.”*

*“Do not limit the amount of Cannabis retail stores as we live in a democracy and completion is part of the democratic way.”*

*“Do not allow use near where minors are. Period.”*

*“Areas of public consumption should be restricted. Not everyone likes the smell.”*

*“Frequent review for compliance with regulations such as security cameras working. Stiff fines for breach of regulations.”*

*“Parents educate their children about the experience with cannabis, explain the risks of the drug just like coffee and alcohol.”*

Consultation results are attached as **Appendix D**.

## **AMENDED POLICY**

Based on the consultation results summarized above, Staff proposed a few amendments to the Draft Policy to take into account the feedback collected. The amended policy is attached as **Appendix E**. Changes to applicable sections are noted in *italics* below along with an explanation of the pros and cons of each amendment.

### **Licensing Referrals and Notification**

Notification will be conducted via a written notice delivered to those residents, businesses and property owners within 100 m of the proposed location *and two (2) consecutive ads the local newspaper. The information will also be available on the Village website.*

*Pros: This direction is recommended by the SLRD and will help notify all residents of potential Cannabis retail uses in the C-1 Zone.*

*Cons: This direction is over and above what the Village does to notify residents about liquor licences.*

### **Land Use and Zoning**

The Village will amend the Zoning Bylaw to permit Retail Cannabis (recreational) as a permitted use in the Town Centre Commercial (C-1).

A Draft Zoning Amendment Bylaw, No. 847, 2018 is attached to this report as **Appendix F** for Council’s consideration of First and Second Reading.

*Pros: This direction is clearly supported by the RCMP, and nearly 80% of the public that participated in the Village survey. It is interpreted to be supported by the SLRD, VCH and the Chamber. This policy direction allows the Village to send a positive recommendation to the Province for any application referrals for locations within the C-1 Zone.*

*Cons: Staff interprets this direction as not supportable by the Pemberton Medical Clinic (who would prefer the Village use a Temporary Use Permit) or Signal Hill Elementary (which stated a preference for applicants pursuing a rezoning application). This direction is not supported by 21% of the public who participated in the survey. This direction does not contemplate permitting the use in the Industrial Park which was stated as an appropriate alternative to C-1.*

## **Conditions of Use**

Pemberton has a very small footprint and as a result its Town Centre Commercial area is generally proximate to many public uses. Given this, Council directed Staff to abandon using distance requirements as a buffer between retailers and schools, the community centre, youth centre, etc. Instead, the Village has proposed to restrict the use to the Town Centre Commercial (C-1) zone. This approach was supported by over half of the survey respondents. However, the RCMP, School Board and the Pemberton Secondary School are all opposed to the abandonment of distance requirements.

*Staff recommends utilizing using a minimum distance requirement of 100 m from Cannabis Retail and Schools, the Community Centre, the Daycare, the Library, Skateboard Park, and BMX Track, to ensure that recreational cannabis businesses are not located in close proximity to areas frequented by minors, as well as restricting the use to applicable properties within the C-1 Zone.*

This would also prevent the establishment of Cannabis Retail in the C-1 zoned properties located on Pemberton Portage Road (i.e. the area where the Pony, the Animal Barn and the Nursery are located) which is in close proximity to both the Elementary and Secondary Schools. Staff prepared a map depicting what the result would look like if distance requirements at increments of 100 m and 150 m were applied from the edge of School properties to the Town Centre. A map depicting the resulting buffer is attached to **Appendix E**.

*Pros: This direction is recommended by RCMP, School District #48, Pemberton Secondary High School and is supported by almost one third (31%) of survey respondents. This prevents Cannabis retailers from locating on Pemberton Portage Road, mere blocks from both schools.*

*Cons: Confining it the C-1 Zone, rather than using distance requirements, was supported by the Chamber and 52% of the population.*

The Village will continue to 'cap' (limit) the total number of retail cannabis business retails located in the C-1 Zone to two (2).

*Pros: This direction is supported by the RCMP, Chamber of Commerce, and over half of Survey Respondents.*

*Cons: This direction is not supported by nearly 1/3 of survey respondents.*

## **Operating Hours**

The Village will permit Cannabis Retail Operations to operate between the hours of 9:00am to 9:00pm.

*Pros: This direction is recommended by Vancouver Coastal Health, and the RCMP, and is supported by 36% of survey respondents.*

*Cons: This direction was not supported by the Chamber of Commerce, 59% of survey respondents and limits Cannabis retailers the opportunity to stay open as late as 11:00pm, if desired.*

## **COMMUNICATIONS**

Notification of a Public Hearing will be in the local paper to meet the legislated requirements set out in the *Local Government Act* (s. 466) as well as on the Village's social media platforms noted above.

## **LEGAL CONSIDERATIONS**

The retail sale of recreational cannabis will be legal in Canada as of October 17, 2018.

## **IMPACT ON BUDGET & STAFFING**

Development of policy, procedures and communication respecting Cannabis retail sales within the Village of Pemberton and the preparation of the zoning amendment has been facilitated in-house.

## **INTERDEPARTMENTAL IMPACT & APPROVAL**

The development of a policy and an amending bylaw has involved the departments of Operations & Development Services and Corporate and Legislative Services. The Office of the CAO has facilitated the communications elements associated with policy development.

## **IMPACT ON THE REGION OR NEIGHBOURING JURISDICTIONS**

Comments were sought from the Squamish-Lillooet Regional District and Lil'wat Nation to gauge impacts on the region. The SLRD has informed that their interests are unaffected. The Village is awaiting comments from the Lil'wat Nation once the item is addressed by Chief and Council at their meeting scheduled for October 2, 2018, beginning at 7:00pm.

## **OPTIONS FOR CONSIDERATION**

**Option 1:** Support the amended Policy, as presented by Staff and give the proposed Amendment Bylaw First and Second Reading.

*This is the option supported by Staff.*



**Option 2:** Do not support the amended Policy and direct Staff to make further changes but still give the Proposed Amendment Bylaw First and Second Reading.

**Option 3:** Another option as directed by Council.

### **POTENTIAL GOVERNANCE CONSIDERATIONS**

The consideration of this matter is in alignment with Strategic Priority Two: Good Governance, whereby the Village is committed to citizen engagement and being an open and accountable government.

### **RECOMMENDATIONS**

#### **First Recommendation:**

**THAT** Council adopts the Village of Pemberton Non-Medical (Recreational) Cannabis Retail Policy as presented.

#### **Second Recommendation:**

**THAT** Zoning Bylaw No. 832, 2018, Amendment (Cannabis, Retail) Bylaw No. 847, 2018 be given First and Second Reading;

**AND THAT** staff arrange for a Public Hearing on Zoning Bylaw No. 832, 2018, Amendment (Cannabis, Retail) Bylaw No. 847, 2018 for Tuesday October 16 at 7:00pm.

### **Attachments:**

**Appendix A:** Letter from Pemberton Secondary School, dated September 18, 2018

**Appendix B:** Letter from School District #48 Board of Directors, dated September 18, 2018

**Appendix C:** Letter from SLRD, dated September 13, 2018

**Appendix D:** Survey results

**Appendix E:** Amended Policy with Buffer Map

**Appendix F:** Zoning Amendment Bylaw No. 847, 2018

Submitted by:	Lisa Pedrini, Senior Planner
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer



**Pemberton Secondary School**  
School District #48

September 18, 2018

Lisa Pedrini  
Senior Planner, Development Services  
Village of Pemberton  
Box 100, 7400 Prospect Street  
Pemberton, BC  
V0N 2L0

Dear Lisa:

Re: Proposed Non-Medical (Recreational) Cannabis Retail Policy

On behalf of Pemberton Secondary School, I am writing to strongly object to the proposed abolishment of setback limits.

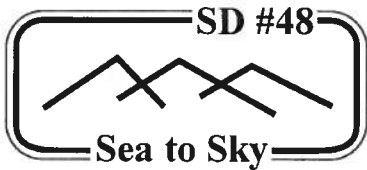
We would like to encourage the Village of Pemberton to consider increasing setback limits to 300 meters which would bring them into line with the current limits set in most other municipalities' current limits.

Any changes in the reduction or abolishment of the Village of Pemberton's current limits would be a significant concern that would not be supported by Pemberton Secondary School.

Should you require additional comments, please contact School District No.48 Secretary-Treasurer, Mohammed Azim, at [mazim@sd48.bc.ca](mailto:mazim@sd48.bc.ca) or at 604-892-5528 ext 104.

Yours truly,

Krista Brynjolfson  
Principal  
Pemberton Secondary School



## SCHOOL DISTRICT NO. 48

◆ Squamish ◆ Whistler ◆ Pemberton

September 18, 2018

Lisa Pedrini  
Senor Planner, Development Services  
Village of Pemberton  
Box 100, 7400 Prospect Street  
Pemberton, BC  
V0N 2L0

Dear Lisa:

Re: Proposed Non-Medical (Recreational) Cannabis Retail Policy

On behalf of The Board of Education for School District No. 48 I am writing to strongly object to the proposed abolishment of setback limits.

Having recently discussed a similar situation in relation to the District of Squamish, we would like to encourage the Village of Pemberton to consider increasing setback limits to 300 metres which would bring them into line with the current limits in most other municipalities' current limits.

Any changes in the reduction or abolishment of the Village of Pembertons current limits would be a significant concern that would not be supported by the Board of Education.

Should you require additional comments, please feel free to contact me.

Yours truly,

Mohammed Azim, CPA, CGA  
Secretary-Treasurer

Signed

  
\_\_\_\_\_  
Authorized Signature



Box 219, 1350 Aster Street  
Pemberton, BC V0N 2L0  
P. 604-894-6371 TF. 800-298-7753  
F. 604-894-6526  
info@slrd.bc.ca www.slrd.bc.ca

September 13, 2018

Lisa Pedrini  
Development Services  
Village of Pemberton  
VIA EMAIL: lpedrini@pemberton.ca

### **Re: Recreational Cannabis Retail Policy – SLRD Referral Response**

---

The SLRD is appreciative of the opportunity to review and provide comments on the Village of Pemberton *DRAFT* Recreational Cannabis Retail Policy.

Generally, SLRD interests are unaffected by the proposed policy. Yet, as the SLRD member municipalities provide the key commercial centres for regional district residents, SLRD staff are supportive of a policy that outlines conditions of use (distancing and operations requirements), while providing space for public input on specific applications. Additionally, the land use and zoning parameters seem reasonable.

One point of comment relates to the notice approach. The Village of Pemberton may also want to provide notice in the local newspaper, in addition to the written notice to property owners within 100m of the proposed recreational cannabis retail business location. Notification in the local newspaper will enable the broader community to be informed and provide input. This notification may already be contemplated, but it is not clear from the way the Licencing Referral and Notification section is written.

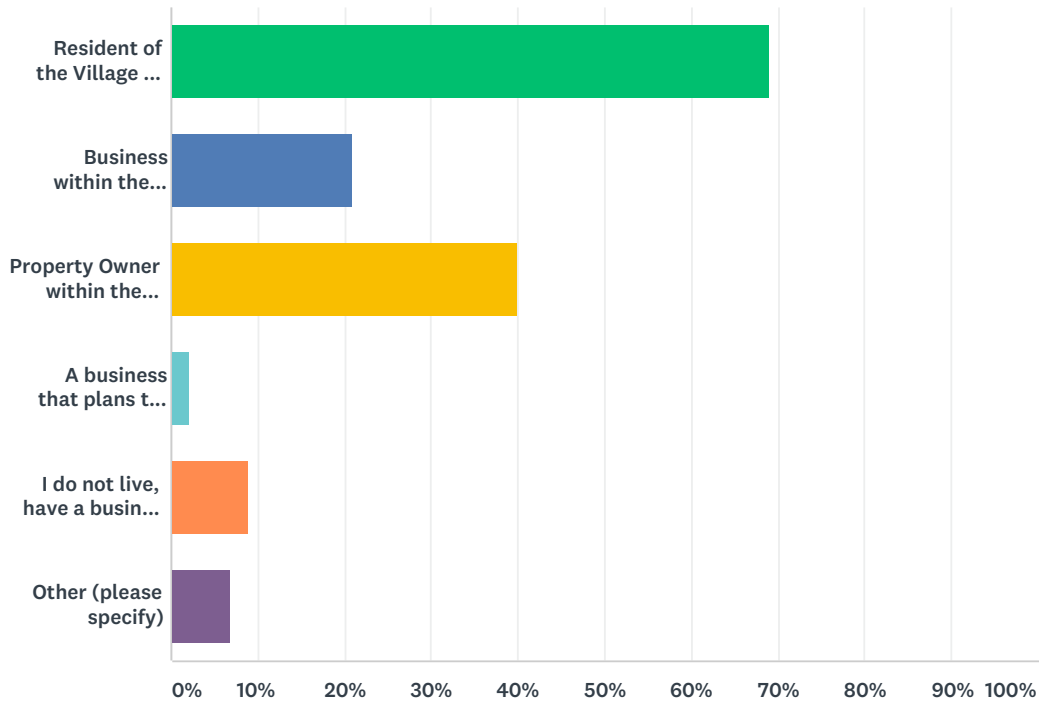
Sincerely,

A handwritten signature in black ink, appearing to read "Claire Daniels", with a horizontal line extending to the right.

Claire Daniels  
SLRD Planner

### Q1 Are you completing this survey as a (choose all that apply):

Answered: 100 Skipped: 0

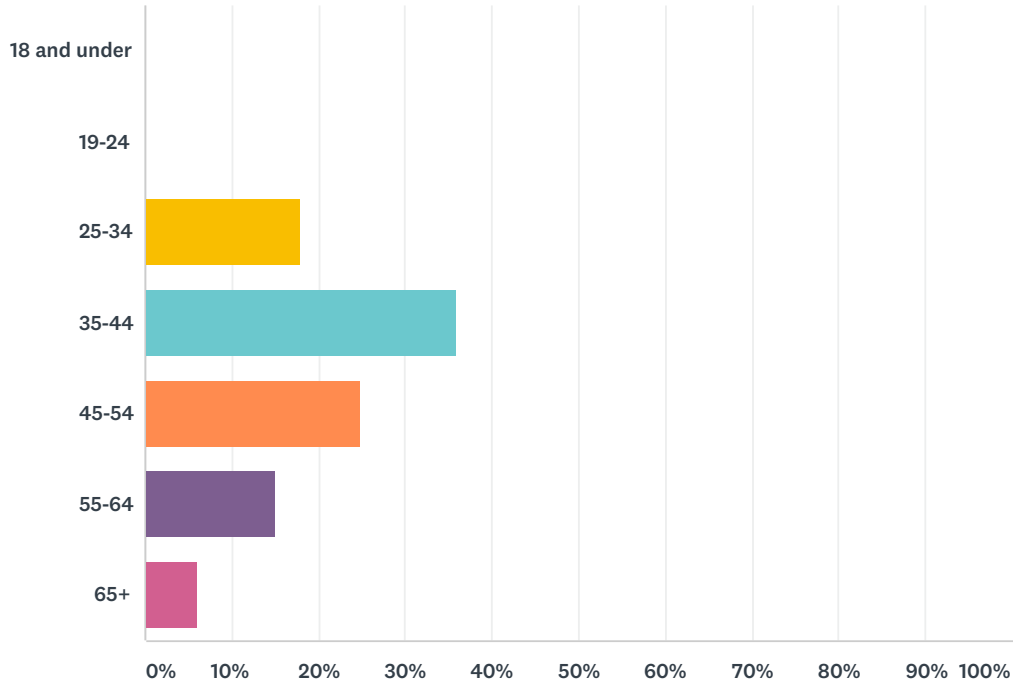


ANSWER CHOICES	RESPONSES
Resident of the Village of Pemberton	69.00% 69
Business within the Village of Pemberton	21.00% 21
Property Owner within the Village of Pemberton	40.00% 40
A business that plans to submit an application to the Province for a Non-Medical (Recreational) Cannabis Retail operation	2.00% 2
I do not live, have a business or own property within the Village of Pemberton	9.00% 9
Other (please specify)	7.00% 7
Total Respondents: 100	

#	OTHER (PLEASE SPECIFY)	DATE
1	work in industrial park	9/24/2018 12:07 PM
2	In slrd but close to town	9/24/2018 6:23 AM
3	Land Developer that might see a potential tenant needing such permission??	9/20/2018 12:51 PM
4	I live in Mount Currie. Pemberton does not operate in a bubble of itself, Pemberton is a business centre to several neighboring communities.	9/19/2018 9:50 AM
5	Don't live in village of Pemberton, but very close too	9/13/2018 7:50 PM
6	Live in slrd	9/13/2018 2:51 PM
7	I have a temporary Business in town	9/10/2018 11:12 AM

## Q2 What is your age group?

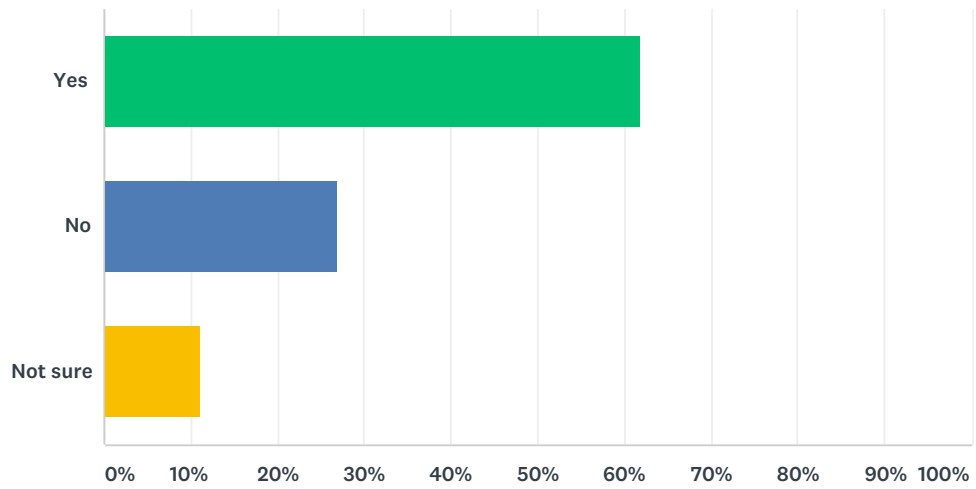
Answered: 100 Skipped: 0



ANSWER CHOICES	RESPONSES
18 and under	0.00% 0
19-24	0.00% 0
25-34	18.00% 18
35-44	36.00% 36
45-54	25.00% 25
55-64	15.00% 15
65+	6.00% 6
<b>TOTAL</b>	<b>100</b>

### Q3 Do you support the proposed notification process to inform residents, property owners and businesses within 100 m of the business location?

Answered: 100 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	62.00%	62
No	27.00%	27
Not sure	11.00%	11
<b>TOTAL</b>		<b>100</b>

## Q4 If not, why not?

Answered: 39 Skipped: 61

#	RESPONSES	DATE
1	cause why do it for pot and not anything else?	9/24/2018 12:31 PM
2	I think the Village should be notified being confined to the city centre, the same 100m people will be notified everything. Let everyone know.	9/24/2018 12:29 PM
3	is this the same process as an application to sell alcohol?	9/24/2018 12:15 PM
4	Possibly, within 150m or 200m	9/24/2018 10:06 AM
5	To do so may create challenges for owners to secure levies, you are creating roadblocks for a legal business.	9/24/2018 10:04 AM
6	I said yes	9/23/2018 6:41 PM
7	Notifications should be to a wider area, minimum 200m.	9/20/2018 10:04 PM
8	Its legal. Place sane restrictions on liquor stores	9/20/2018 7:05 PM
9	It's a business. It's legal like liquor.	9/19/2018 9:12 PM
10	The notice should go to all of the village.	9/19/2018 3:43 PM
11	If every type of business in Pemberton is subject to the same condition I would say yes but I see no reason why one type of business should be targeted with a special requirement.	9/18/2018 2:17 PM
12	ok	9/18/2018 1:28 PM
13	Do liquor and pharmacies follow those same laws? I'm sure it wouldn't hurt but I believe most are using as some form of medication first and recreation second.	9/16/2018 8:41 AM
14	Should notify if you will be affected by traffic to and from business and at a further distance from store front...	9/15/2018 6:51 PM
15	Because if were another kind of retail shop opening a notice would not be given. If the village does this right there should be no negative connotations from having a cannabis retail store opening	9/14/2018 8:10 PM
16	I do, and think that the distance needs to be increased to take into consideration downtown residents- 100m is not enough- a shop could open without downtown residents even knowing	9/14/2018 2:48 PM
17	Licensing of recreational marijuana stores is such a significant new development for Canadian society as a whole that the opinion of the greater population of the Village of Pemberton should be canvassed.	9/14/2018 2:43 PM
18	n/a	9/14/2018 10:46 AM
19	Once legalized cannabis should be treated just like alcohol. I do not believe liquor stores require such a process so I feel it's unfair to require a neighbourhood's approval for a legal cannabis retailer to operate.	9/14/2018 9:08 AM
20	Every other business in town does not need to be approved by their neighbours, so why segregate?	9/13/2018 11:44 PM
21	the bylaw mentions the village will follow the general feeling of the people notified about the application. But 100 m is not that many people, so it seems that the decision about the application is left to the feelings of a few neighbours. I would like to see the opinions of other business owners or customers also have some impact or consideration for the application, otherwise it gets pretty personal for the applicant.	9/13/2018 9:23 PM

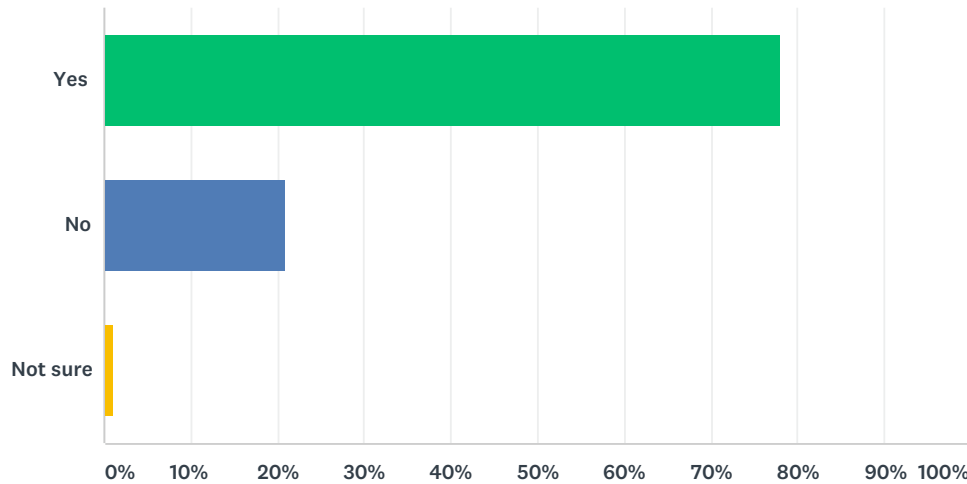


## DRAFT Non-Medical (Recreational) Cannabis Retail Policy | Community Questionnaire

22	The 100m radius circle feels somewhat arbitrary and will include very different group of respondents if the proposal retail location is at the northern end of town centre vs. the southern end. If a retail operation is proposed across from the Barn on Prospect, does it make sense to invite response from someone living across the train tracks on Aspen, near the high school, but not invite their response if the shop is proposed to be located beside the gas station? I'm not sure that the impact on someone on Aspen will be different between those two locations, but in one case, they'll have a say and in another, they won't. My other concern would be that not all respondents should have equal weight. If I have business immediately beside the proposed shop, the impacts on me (both positive and negative) are likely to be much more significant than the impacts on someone who lives 100 m away on a different street and on the other side of train tracks or up a hill on the Benchlands.	9/13/2018 8:38 PM
23	I think informing is fine but consulting and seeking approval will only result in negative feedback and won't get you anywhere	9/13/2018 7:21 PM
24	The liquor store did not inform residents, property owners or businesses	9/13/2018 2:51 PM
25	They're not selling to minors so it doesn't matter especially in a small town like Pemberton	9/13/2018 2:14 PM
26	Because at the time that this will be happening it will be legal. We don't notify of an upcoming pharmacy which has much worse drugs (ie. oxycodone, methamphetamines). We don't notify of alcohol stores which have much higher mortality rates than marijuana use. Too much of a big deal is being made. If its legal, its LEGAL.	9/13/2018 1:59 PM
27	This should be treated the same as alcohol sales	9/13/2018 1:34 PM
28	N/A	9/13/2018 10:56 AM
29	As with other legal and socially accepted drugs which are regulated -alcohol, nicotine, pharmaceuticals there is no such need for notification. Unregulated, highly addictive and mood altering caffeine is not regulated.	9/11/2018 8:03 PM
30	Should include a much wider area. Paper notifications seem outdated and wasteful.	9/11/2018 7:27 AM
31	Would prefer if the reasons for lack of support was provided to the applicant with the applicant allowed to try to address the concerns and final decision made by the village.	9/10/2018 7:19 PM
32	Its legal. Was this the case when liquor stores were approved or there location changed.	9/10/2018 5:02 PM
33	no need, it's federally legal	9/10/2018 11:59 AM
34	same as liquor store informing	9/10/2018 11:25 AM
35	Should be same as alcohol	9/10/2018 9:39 AM
36	It will be a legal business, do we have the same rules for places selling alcohol	9/10/2018 9:24 AM
37	I support the notification area and process	9/10/2018 9:15 AM
38	It just doesn't seem like we're creating an open/accepting environment. We're sort-of setting them up to be protested. Cannabis businesses are not registered sex-offenders.	9/10/2018 9:15 AM
39	Doesn't seem necessary	9/10/2018 9:14 AM

### Q5 Do you support amending the Village of Pemberton Zoning Bylaw No. 832, 2018 to permit cannabis retail businesses in the Town Centre Commercial (C-1) Zone of the Village of Pemberton?

Answered: 100 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	78.00%	78
No	21.00%	21
Not sure	1.00%	1
TOTAL		100

## Q6 If you do not support Non-Medical Cannabis Retail in the C-1 Zone, please tell us where you think the most appropriate location(s)/zone(s) would be?

Answered: 29 Skipped: 71

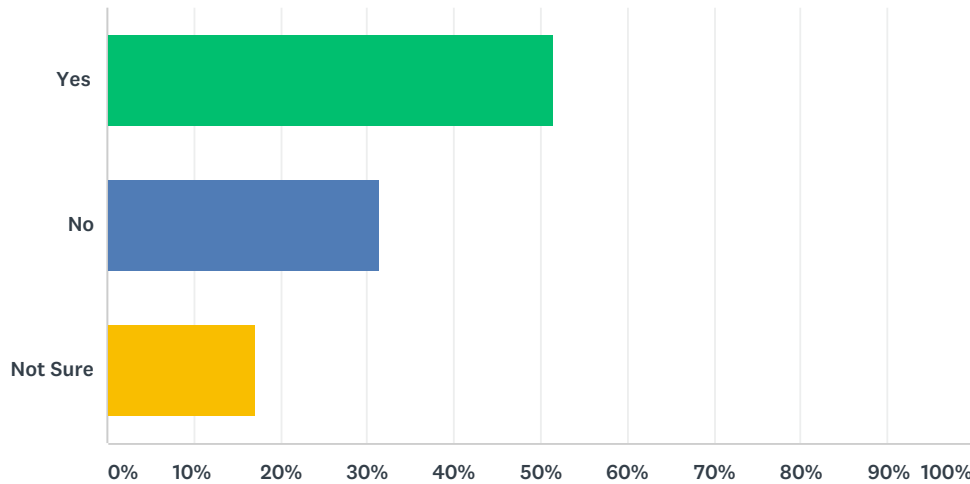
#	RESPONSES	DATE
1	Industrial? But I feel I could keep an eye on my children easier if it was in town.	9/24/2018 12:26 PM
2	industrial park	9/24/2018 12:18 PM
3	industrial area. further away from schools, parks, and where my children frequent	9/24/2018 12:10 PM
4	or possibly at the Industrial Park	9/24/2018 10:06 AM
5	Not sure ... do not want near NMC retail near the schools and park/playgrounds etc...	9/24/2018 6:23 AM
6	I support it. However the industrial park could be a good location as well.	9/23/2018 6:41 PM
7	Not in the village	9/21/2018 8:17 PM
8	Periphery retail units outside of the downtown core.	9/20/2018 10:04 PM
9	I think any Business zone including the Business park where the growers are? It should not be limited to C-1! No residential zones unless Multi-use.	9/20/2018 12:51 PM
10	If you look at similar business in Vancouver these business attract an undesirable crowd that hangs around the store	9/19/2018 3:43 PM
11	I think retail location should be allowed on any commercial land anywhere in Pemberton. Why should people have to come to the town centre to shop? I think if there are suitable locations outside of the town centre they should be allowed as well such as a long the highway or even the Business Park too.	9/18/2018 2:17 PM
12	ok	9/18/2018 1:28 PM
13	All locations should be considered. Limiting the zone shows a biased benefit for those property owners	9/16/2018 8:35 AM
14	I support.	9/15/2018 6:51 PM
15	C-1 is fine	9/14/2018 8:10 PM
16	The Industrial Park- away from schools/family homes and public parks	9/14/2018 2:48 PM
17	The most appropriate zone is the M-1 industrial zone, near existing similar infrastructure such as the distillery/brewery. This naturally provides a reasonable minimum distance from schools while also collocating closer to similar retailers/operations. Keep the small town centre appreciable when walking or biking and keep it focused on general use, not overly-specific uses. The industrial zone is not too far out of town and it is a more logical fit. Most visiting and residential population can appreciate the use of C-1 shops, grocers, and restaurants, for example, but a cannabis retail location subtracts from already minimal real estate which will otherwise be used for general purpose growth. If the community momentum really wants C-1 used for this purpose, at least instill strict facade design criteria to ensure whatever is built isn't an eyesore compared to surrounding shops. The newer mixed business/condo developments have done a great job at keeping an appreciable uniform "style", for example.	9/14/2018 10:54 AM
18	n/a	9/14/2018 10:46 AM
19	Any zone is fine with me, downtown or otherwise. If most people feel the need to hide a cannabis retailer from downtown pedestrian traffic, the industrial park near Mt. Currie would be a great option.	9/14/2018 9:08 AM
20	Industrial park	9/13/2018 10:11 PM
21	INDUSTRIAL PARK. OR NEAR THE RCMP BUILDING	9/13/2018 4:37 PM

## DRAFT Non-Medical (Recreational) Cannabis Retail Policy | Community Questionnaire

22	I do support C-1 but would also like the Village to consider M-1 if the Lil'wat Nation is not opposed to this.	9/13/2018 3:38 PM
23	We do not believe the sale of non-medical cannabis in our community to should be encouraged in anyway. With a large first nations community already struggling with addiction and an increasing young family community we feel despite recent changes in the legalization of cannabis that this does not support the type of community we came to be part of.	9/13/2018 3:11 PM
24	I think that it could still be restricted to a smaller area in the red but at least it is away from the schools.	9/13/2018 11:35 AM
25	No where.	9/13/2018 11:33 AM
26	Industrial Park	9/13/2018 10:56 AM
27	You should also include the Industrial Park where you already have alcohol sales. as well as the C-1 Zone.	9/13/2018 10:52 AM
28	Nowhere	9/11/2018 7:27 AM
29	I am not keen on seeing this in the downtown so close to schools and parks - I would suggest maybe the Industrial Park might be better especially since there are so many unknowns.	9/10/2018 9:15 AM

### Q7 Do you support not applying distance requirements from public uses, such as schools, parks and playgrounds, but confining the use just to the C-1 zone?

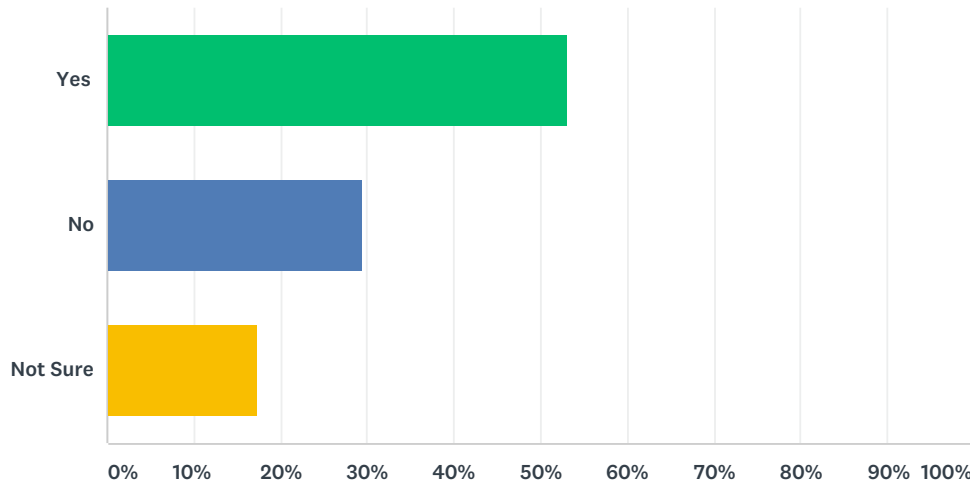
Answered: 99 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	51.52%	51
No	31.31%	31
Not Sure	17.17%	17
TOTAL		99

### Q8 Do you support not applying distance requirements from public other cannabis retail businesses, but instead restricting the number to a maximum of two (2) in the C-1 Zone?

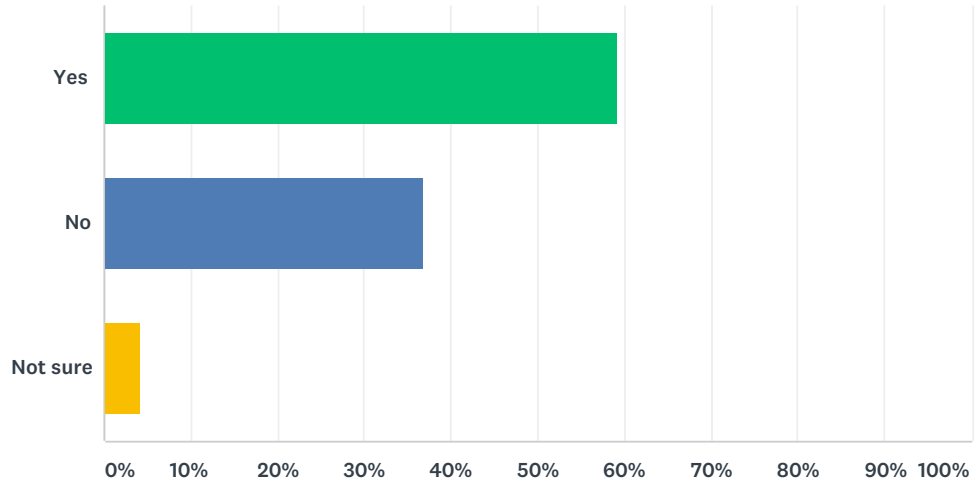
Answered: 98 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	53.06%	52
No	29.59%	29
Not Sure	17.35%	17
TOTAL		98

## Q9 Do you support the operating hours of 9am to 11pm?

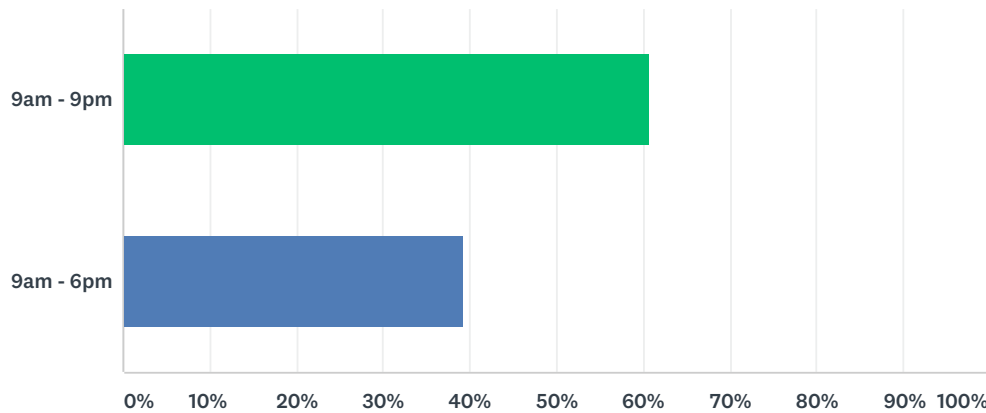
Answered: 98 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	59.18%	58
No	36.73%	36
Not sure	4.08%	4
TOTAL		98

## Q10 If you do not support the proposed operating hours of 9am to 11pm, what hours do you feel are most appropriate?

Answered: 33 Skipped: 67



ANSWER CHOICES	RESPONSES
9am - 9pm	60.61% 20
9am - 6pm	39.39% 13
TOTAL	33

#	OTHER (PLEASE SPECIFY)	DATE
1	Same hours as liquor store	9/24/2018 12:26 PM
2	Same hours as liquor store	9/24/2018 10:06 AM
3	9-6 Sunday, Monday to Thursday. Til 9 on Friday & sat.	9/24/2018 6:23 AM
4	6 Pm-12 am	9/21/2018 8:17 PM
5	or same as BC Liqour	9/21/2018 2:59 PM
6	Only open during school hours	9/19/2018 3:43 PM
7	ok	9/18/2018 1:28 PM
8	As most other states open until 6. But if staff want to work. I would stay open since the convenience of finishing work at 1030 and still being able to buy a beer or joint is nice	9/16/2018 8:41 AM
9	11am-2pm	9/16/2018 8:35 AM
10	I support	9/15/2018 6:51 PM
11	9AM TO 4PM	9/13/2018 4:37 PM
12	9pm - 6pm on Sundays	9/13/2018 3:38 PM
13	We do not support having this kind of facility being in such a small community	9/13/2018 3:11 PM
14	I feel if the business operates for later hours this could be a cause for concern to anyone in the downtown core who happens to be walking around and there is a confrontation at the business.	9/13/2018 1:41 PM
15	10 am to 6pm or similar to the BC liquor store hours	9/13/2018 11:35 AM
16	None.	9/13/2018 11:33 AM
17	N/A	9/13/2018 10:56 AM
18	Support	9/10/2018 7:58 PM



DRAFT Non-Medical (Recreational) Cannabis Retail Policy | Community Questionnaire

---

19	Support the hours proposed	9/10/2018 7:19 PM
20	would prefer maybe 11 - 7 or something - not keen on 12 hours if it has to be in the downtown. If at the Industrial Park then would not have an issue with the hours the Province has put forward	9/10/2018 9:15 AM

---

## Q11 Do you have further suggestions or considerations for the DRAFT Non-medical (Recreational) Cannabis Retail Business Policy?

Answered: 39 Skipped: 61

#	RESPONSES	DATE
1	-it seems the plan would cost the business owner a lot of start up. Eliminating or limiting the opportunity for a smaller business to open - allowing pot monopoly in Pemberton.	9/24/2018 12:29 PM
2	can this be considered in the same vein as liquor sales?	9/24/2018 12:15 PM
3	keep signage discreet. make decisions based around how impressionable our children are.	9/24/2018 12:10 PM
4	signs in the store and on packaging, "do not smoke and drive".	9/24/2018 10:06 AM
5	Do not want to see this in the down town core... would like to see how this rolls out, identify any problems concerns and then maybe in the future we can consider an in town locations. Based on the size of our community I would support one location... not multiple non medical cannabis retail businesses.	9/24/2018 6:23 AM
6	Not at this time	9/23/2018 6:41 PM
7	To put an additional buffer for commercial spaces with residential units. Must applying distance requirements from mixed residential/commercial building.	9/20/2018 1:58 PM
8	Yes, no limit as it is a democracy and competition is part of the democratic way? Do not allow use near where minors are period. Change the smoking laws if that is what we need to accept. Bag the pot and tobacco smokers together away from people that don't like the smell etc. change C-1 to all business zones and Multi use Zones.	9/20/2018 12:51 PM
9	Not in Pemberton.	9/19/2018 3:43 PM
10	The issue of public consumption, areas of use and smoking should be restricted.	9/19/2018 9:50 AM
11	Frequent review to check for compliance with rules/regulations such as security cameras working/hours of operation/ 2 employees on shift and especially air control. Stiff fines for breach of regulations	9/18/2018 4:37 PM
12	no	9/18/2018 1:28 PM
13	Parents educate their own children about their experience with cannabis explain the risks of the drug just like coffee or alcohol	9/16/2018 8:41 AM
14	Store front conditions as well as ppl loitering around store front...will there be any regulations on that?	9/15/2018 6:51 PM
15	Please don't let the store name be something that aligns with stoner culture or have cannabis leaves on the sign. Part of getting rid of the current stigma of cannabis is to not celebrate it as the equivalent of drinking, cannabis is much different than alcohol, don't let it be marketed as a party favor and kids won't be so interested and it will keep the shady element away too.	9/14/2018 8:10 PM
16	no	9/14/2018 5:09 PM
17	If the bylaw is passed it would be great to limit the number of stores to 1. There is no need for two- as you mention we have a small centre and need variety of shops- we already have two liquor stores do we really want downtown to have a prevalence of alcohol and cannabis outlets? Considering the downtown enhancement project it would be nice to have more attractive offerings to match the new attractive space thats upcoming.	9/14/2018 2:48 PM
18	I believe that there should be restrictions regarding smoking cannabis in public places that are similar to liquor legislation. The smell of cannabis smoke is extremely pervasive I am concerned about the effects of passive smoking.	9/14/2018 2:43 PM
19	Having a maximum of two within the suggested zone (I suggest M-1) seems reasonable compared to forcing minimum distance requirements between the same type of business. Selecting M-1 zone instead of C-1 naturally ensures a reasonable distance between the schools and the cannabis retailer without having to impose distance restrictions.	9/14/2018 10:54 AM

## DRAFT Non-Medical (Recreational) Cannabis Retail Policy | Community Questionnaire

20	no	9/14/2018 10:46 AM
21	I am fully in support of a cannabis retailer (or multiple) operating in Pemberton. I believe the demand is here for medical and recreational users, and don't expect any serious negative impacts from hosting retail shops. Cannabis retailers should be looked at as any other retail business and should have the same opportunities to succeed in Pemberton. I'm not against a limit of two stores at this time, but that cap may have to be lifted if Pemberton's population grows greatly.	9/14/2018 9:08 AM
22	I'm not sure about the limitation of 2 stores. I don't believe we limit the number of any other type of business. How would that work if a 'health food' store also wanted to dispense medical marijuana, and after 2 other businesses started up, they also wanted to expand into recreational? How would you handle a 'wait list' situation if we have 2 businesses and one fails/leaves town?	9/13/2018 9:23 PM
23	Instead of the 100 m radius with a simple majority, consider: - A majority of positive responses from people living, working or owning businesses within the Town Centre zone, and - A majority of positive responses from people living, working or owning businesses within a set of fixed boundaries around the Town Centre (regardless of where the shop will be located within the Town Centre). That boundary could be set at approximately 100 m from the outer edge of the town centre zone in all directions.	9/13/2018 8:38 PM
24	Allow more than 2 , less than 5 business so that no one has a monopoly	9/13/2018 6:09 PM
25	I think it will be helpful to have recreational cannabis retail in the Village, but I don't think we need more than 1 - 2 businesses in total.	9/13/2018 3:38 PM
26	We need one! Will be great revenue for Pemby and it's not right to restrict the purchase of a legal substance in Canada	9/13/2018 2:14 PM
27	A business license is 150/year. A cannabis retail location should be charged what the pharmacy pays for a business license.....150/year. To charge the proposed 1500/year is preposterous and improper. Basically profiteering . You really show your true colors when you do things like this to people trying to have a business in the community.	9/13/2018 1:59 PM
28	It appears to me that by stating that a Non-medical (recreational) Cannabis Retail business is limited to 2 such businesses means that a "Medical Cannabis Retail" business would also be allowed and this could possibly increase the number of cannabis retail businesses. Could the policy state "a total of 2 Non-medical and/or Medical Cannabis Retail businesses only allowed" ? I would not like to see more than 2 cannabis retail businesses in our small community.	9/13/2018 1:41 PM
29	I assume if there are issues the policy would be brought up for review and amended.	9/13/2018 1:27 PM
30	There is no mention of consumption use in public. I feel that there needs to be something about it in presence of children and young adults and should not be allowed to smoke freely in public. I feel that it should have the same rules as alcohol. I have been to places that have legalized marijuana and at times the smell is overwhelming and it seems as if there is free for all to smoke it wherever people want. The other point to define is smoking in hotels, apartments and shared facilities as we have also ran into that when travelling and found that there has to be harsh penalties to prevent it from leaching into other units.	9/13/2018 11:35 AM
31	The industrial park is zone for cultivation, makes sense to have retail component out there too. Because our downtown core is so small and we already have enough "ambassadors" welcoming people to Pemberton by drinking alcohol from the two liquor stores in town, it hardly improves the town's image to have more "ambassadors" sitting around smoking weed. This town is attracting more and more tourists, more and more families, we do not need the downtown to be a total "adult" zone. C-1 is a very small area. I have no problem with weed retail in the industrial park. Keep our downtown less "sin city" and more welcoming. Especially since revitalization will be taking place. I would rather make it look nicer for citizens and tourists than the "ambassadors". Thank you	9/13/2018 10:56 AM
32	No	9/13/2018 10:52 AM
33	The Village of Pemberton should explore the option of non governmental private retail options in a legal aspect.	9/11/2018 8:03 PM
34	Nope let's get this done please :)	9/10/2018 8:43 PM
35	Do you need to limit the number to 2? I would think market principles would make it difficult for more than 2 to operate.	9/10/2018 7:19 PM

## DRAFT Non-Medical (Recreational) Cannabis Retail Policy | Community Questionnaire

---

36	The village shouldn't limit the number of retail locations. It should be up to the business owner to decide whether or not it is feasible for them to open a business. Retail locations should also be permitted in the business park as an ancillary use.	9/10/2018 3:35 PM
37	Keep it simple	9/10/2018 11:27 AM
38	Apply the same rules as liquor store	9/10/2018 11:25 AM
39	I believe there should be designated areas for people to smoke pot freely.	9/10/2018 11:23 AM

---

## Q12 Please provide additional comments here:

Answered: 29 Skipped: 71

#	RESPONSES	DATE
1	Thanks for all you do.	9/24/2018 12:26 PM
2	thanks.	9/24/2018 12:15 PM
3	Very strong odour. PLEASE only allow smoking where cigarette smoking is allowed.	9/24/2018 10:06 AM
4	None at this time	9/23/2018 6:41 PM
5	Enforce and re-educate the non-smoking regulation (of anything) near or around public places.	9/20/2018 1:58 PM
6	Thanks and good work.	9/20/2018 12:51 PM
7	We already have a problem with drunks wondering the streets. Let's not add to it drug users. Maybe once the VOP can limit the current population of intoxicated people from hanging out all day in the parks or other public area should it consider allowing another form of intoxicating substance be legally sold in town.	9/19/2018 3:43 PM
8	no	9/18/2018 1:28 PM
9	I want to see local applications prioritized over ones from people that don't live here.	9/16/2018 10:10 PM
10	Thank you for the opportunity to add my opinion.	9/16/2018 8:41 AM
11	N/a	9/15/2018 6:51 PM
12	Please see my answer for number 11, I will repeat that answer to emphasize my point.	9/14/2018 8:10 PM
13	Feel as though the VoP are passing this due to the response at the public bylaw meeting held earlier in the year. I was present at the meeting and the same people were sticking multiple stickers on this board for a cannabis outlet- not really a representative way to measure public opinion. I work in the cannabis industry and firmly believe that these people at the meeting don't fully understand what the new Cannabis Act means- they wont be able to get cheaper weed than they do now, they also wont be able to buy local products as the Provincial gov control supply and no local growers (with the exception of WMMC) are able to supply the BC LDB. This means should a store be opened it will have to purchase products from the LDB direct, not direct from local suppliers. It will also be obligated to sell a selection of brands and not just one. The final thing I would like to note is that whilst my opinions are probably in the minority (and as I mention I work in this field so they are probably even more surprising), should a store be opened I would urge VoP to ensure that any storefront is tasteful and in keeping with the Village- some of stores in Vancouver look cheap and uninviting. As a resident of downtown it would be nice not to have an eyesaw to look at if we must pass this bylaw.	9/14/2018 2:48 PM
14	It's important to note that legalization does not mean a free for all and following legalization there should be a significant effort by the Village and the RCMP to educate the public as to what behaviours are acceptable in public places. On the RCMPs this could be say a 6 month period of warnings followed by a tougher stance.	9/14/2018 2:43 PM
15	Please consider a public discussion putting forward the above comments about why M-1 is more suitable before settling too hastily on C-1.	9/14/2018 10:54 AM
16	no	9/14/2018 10:46 AM
17	Any way we can regulate the 'seediness' of the storefront? I guess not. But I hope it's not a prominent business location with sandwich boards out on the street to show off their wares.	9/13/2018 9:23 PM
18	Thank you for the thoughtful draft and opportunity for comment.	9/13/2018 8:38 PM
19	I think some marijuana shops in town will be profitable and it will save the locals a drive to SQUAMISH.	9/13/2018 6:09 PM

## DRAFT Non-Medical (Recreational) Cannabis Retail Policy | Community Questionnaire

20	I feel that we should have access to legal cannabis in Pemberton but I don't think it should be limited to just 2 stores. We have more than a few retail/restaurant locations that serve alcohol in Pemberton, why are we limiting access to Cannabis? As a society, we will need to start treating it the same way as we treat beer, wine and spirits.	9/13/2018 5:31 PM
21	I would rather see a regulated cannabis business be allowed rather than see a "black market" business grow from the lack of such a local business. If the choice is for people to purchase the product in a legal establishment which should mean a "clean product" then I prefer this to people purchasing product that could be laced with deadly additives from an illegal establishment or person.	9/13/2018 1:41 PM
22	Open alcohol is illegal in most of the province. Lighting a pipe or joint in public should be the same penalty	9/13/2018 1:16 PM
23	See above	9/13/2018 11:35 AM
24	This dispensary is not needed in Pemberton at all.	9/13/2018 11:33 AM
25	See above	9/13/2018 10:56 AM
26	Cannabis being less addictive than caffeine, along with it being less harmful than highly regulated alcohol and nicotine products should be treated with a hands off approach. The monopolistic approach proposed from the province should not be supported by the Village of Pemberton. A legal, private store approach should be supported encouraging 'craft cannabis' as opposed to large industrial mass produced products. In keeping with local agricultural values the municipality should petition for the relaxing of grower/producer regulations to help foster a local craft product further enhancing the Pemberton area for quality agricultural products. Cannabis regulations should be thought of like vineyard/winery brewery operations. With the advantages of our climate/terroir for the growing of cannabis the valley has a unique opportunity to be at the forefront of this emerging culture along with the economic benefits that will follow.	9/11/2018 8:03 PM
27	I do not support the distance requirements. Let market filter out poor operators, not regs. Probably only room for 2-3 max anyways.	9/10/2018 11:27 AM
28	Please consider a distance requirement of some kind if it is being put in the downtown core - I worry about what this is going to look like and the impacts (people hanging around, the type of people it will draw, impact on youth etc - there are so many unknowns. Consider allowing at the Industrial Park as a start for a couple of years and see how it goes before looking at allowing in the downtown.	9/10/2018 9:15 AM
29	Pleased to see the policy seems to be open to change. Great work	9/10/2018 9:15 AM

# Non-Medical (Recreational) Cannabis Retail Policy

Department:	Development Services	Policy No.:	DEV-010
Sub-department:	Planning	Created By:	Lisa Pedrini
Approved By:	Council	Amended By:	
Approved Date:		Amendment:	
Meeting No.:		Meeting No.:	

## POLICY PURPOSE

The *Non-Medical (Recreational) Cannabis Policy* identifies the requirements for the sales and use of recreational cannabis in the Village of Pemberton. In particular, the protocol includes the jurisdiction, definitions, policy related to land use and zoning and includes Village requirements related to the business licence application requirements and the approval procedures.

## JURISDICTION

The jurisdiction and roles of the regulatory authorities and the proponent in the review and approval of recreational cannabis retail businesses are generally described as follows:

- **Government of Canada** - In accordance with BILL C-45 *Cannabis Act*, the federal government has created a plan for regulating Cannabis and sets standards for health and safety, actions that are illegal or criminal and aspects of regulation that are the responsibility of the provinces.
- **Province of British Columbia** - In accordance with the *Cannabis Control and Licencing Act (CCLA)*, the provincial government has established a legislative framework and full regulatory framework on how products will be sold to consumers. The Act describes general rules relating to cannabis; licensing; special rules (i.e., possession limits, personal cultivation, consumption in public, minors), enforcement and training. Certain additional regulatory powers are enabled for local governments and regional districts.
- **Village of Pemberton** -The Province has established that local governments may further restrict certain elements of non-medical (recreational) cannabis retail sales. Criteria that local governments will be able to address include, but are not limited to, the following:
  - Zoning and Land Use (including distance requirements from public uses and other cannabis-related operations);
  - Operational Requirements (business hours of operation and security features) ;
  - Storefront and Signage limitations, including the display of products;
  - Business Licence Regulations; and
  - Public Consumption.
- **Applicants** - Applicants for a private non-medical cannabis retail store licence must make application through the provincial Liquor and Cannabis Regulation Branch.

## OBJECTIVES

---

- To permit the legal and controlled sale of non-medical (recreational) cannabis within the Village of Pemberton.
- To encourage locations that integrates with the surrounding land uses.
- To establish the Village's intent to only permit cannabis retail use in the Town Centre Commercial (C-1) Zone.
- To establish the Village's intent to restrict the maximum number of cannabis retail businesses to two (2) in the Town Centre Commercial (C-1) Zone.
- To establish distance requirements from public spaces to minimize impacts and influences on minors and other vulnerable populations.
- To indicate the process by which the Village will make decisions with respect to potential application referrals from the Province and how the views of nearby residents will be gathered.

## DEFINITIONS

---

**Applicant:** means a company or organization proposing to operate a non-medical (recreational cannabis) retail business in the Village of Pemberton.

**Non-Medical Cannabis:** means a cannabis plant used for recreational purposes. Cannabis has the same meaning as in the *Cannabis Act* (Canada), subject to any prescribed modifications.

**Distance Requirement:** means the minimum distance measured horizontally from the subject property of the proposed non-medical cannabis retail business for notification.

**Vulnerable Populations:** means children and youth under the age of nineteen (19), people with mental health problems, pregnant women, and other socio-economically disadvantaged populations.

## POLICY

---

### Licencing Referrals and Notification

- The provincial Liquor and Cannabis Regulation Branch (LCRB) will be responsible for licencing non-medical (recreational) retail businesses. A cannabis retail licencing regime similar to the current licencing regime for liquor has been established whereby licence applications must be initiated with the LCRB, before being referred to the Village of Pemberton. Refer to **Appendix A - Cannabis Retail Application Process**.
- When an application is received, the LCRB will notify the local government where the proposed store will be located. Upon receiving notice, the Village of Pemberton can:
  - Choose not to make a recommendation (which ends the licence application as the LCRB is not able to issue a licence unless the local government gives a positive recommendation); or



- Choose to make comments and recommendations on an application, based on the views of nearby residents.
- Views of nearby residents will be gathered by mailing or otherwise delivering a written notification to properties within 100m of the proposed non-medical (recreational) cannabis retail business location and an ad placed in the local newspaper following the regulations set out in section 94 of the *Community Charter*. The notice will invite property residents/property owners to send in comments and/or attend a meeting where a decision to support the application will be considered. This notification will be done for each and every application referred to the Village by the LCRB.
- If the views' of nearby residents is supportive, the Village may send a positive recommendation to the LCRB, and the application will continue to be processed by the Province.
- If the views are not supportive, the Village may not send a positive recommendation to the LCRB and the application will be halted.

## Referral Assessment Fee

- The Village of Pemberton will charge an assessment fee of no less than \$500.00 payable by the Applicant per referral.

## Land Use and Zoning

- The Village of Pemberton Zoning Bylaw No. 832, 2018 prohibits cannabis retail businesses in all zones.
- In order for cannabis retail sales to be permitted in the Village of Pemberton, the Village will initiate a Zoning Amendment to permit "Cannabis, Retail" in the Town Centre Commercial (C-1) Zone, under certain conditions of use.

## Distancing Requirements

- Locations for non-medical cannabis retail businesses must be one hundred and fifty (150) meters from the following public uses:
  - Community Centres and Youth Centres
  - Libraries
  - Licenced Daycares
  - Playgrounds and Playing Fields
  - Schools
  - Skate Parks/Bike Parks and any other locations frequented by minors not including the Downtown Barn, Pioneer Park, Fougberg Park or the Pemberton & District Museum.
- A map showing the distancing requirements is attached as **Appendix B**.

## Operational Requirements

- Non-medical (recreational) cannabis retail business may operate between the hours of 9:00am and 9:00pm.
- A non-medical (recreational) cannabis retail business must install the following security/safety measures:
  - Video surveillance cameras that monitor all entrances and exits and the interior of the business premises. Video camera data collected shall be retained for at least twenty-one (21) days.
  - Certified Security and Fire Alarm systems that are operational and monitored at all times.
  - Air filtration and odour suppression systems that are operational at all times.
  - A minimum of two (2) employees onsite at all times.
  - Any other security measures deemed appropriate by referral agencies such as the RCMP, Village Fire Chief, Chief Building Official or their designate.

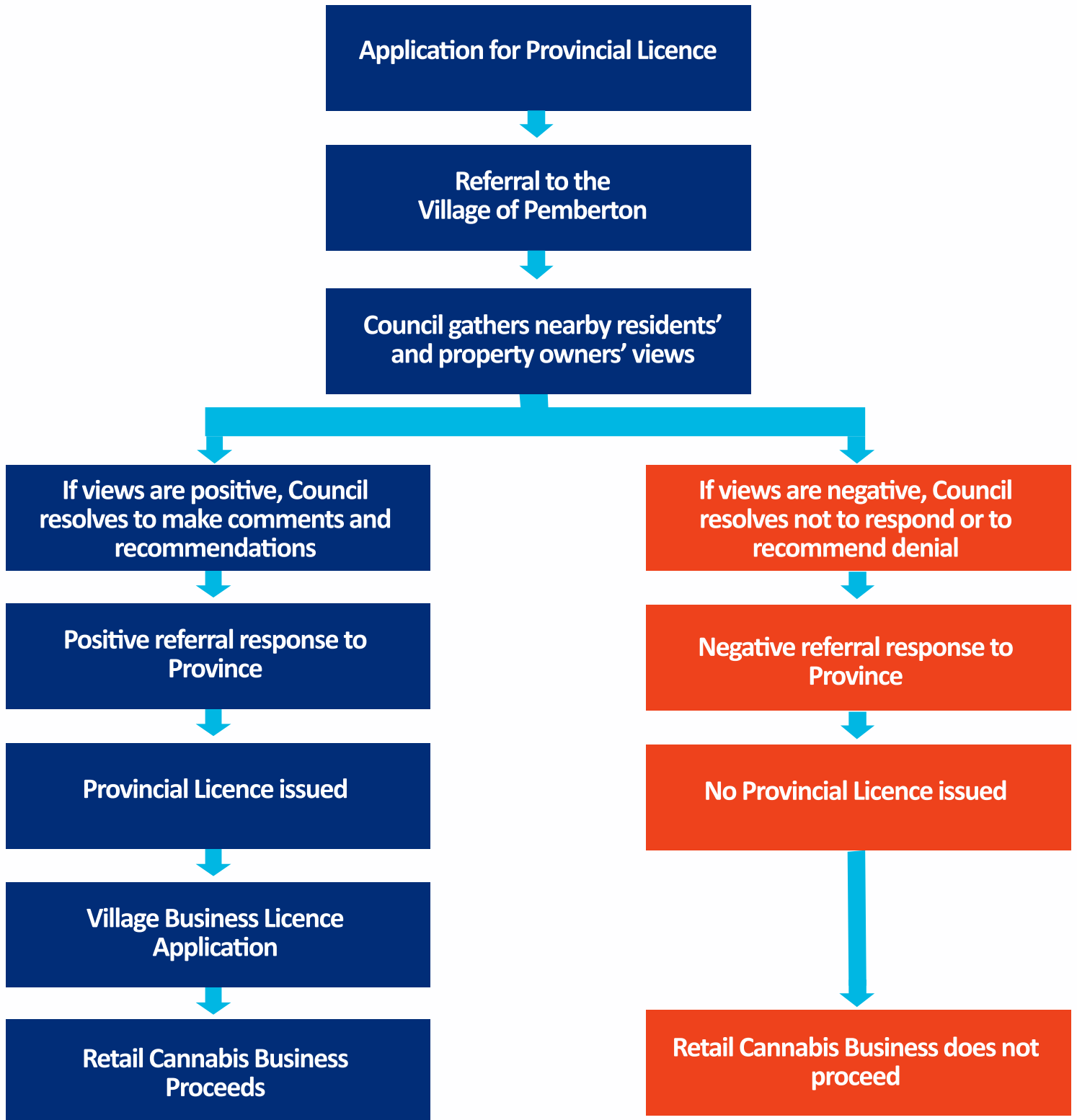
## Business Licence Fee and Requirements

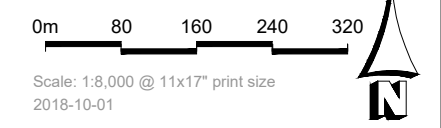
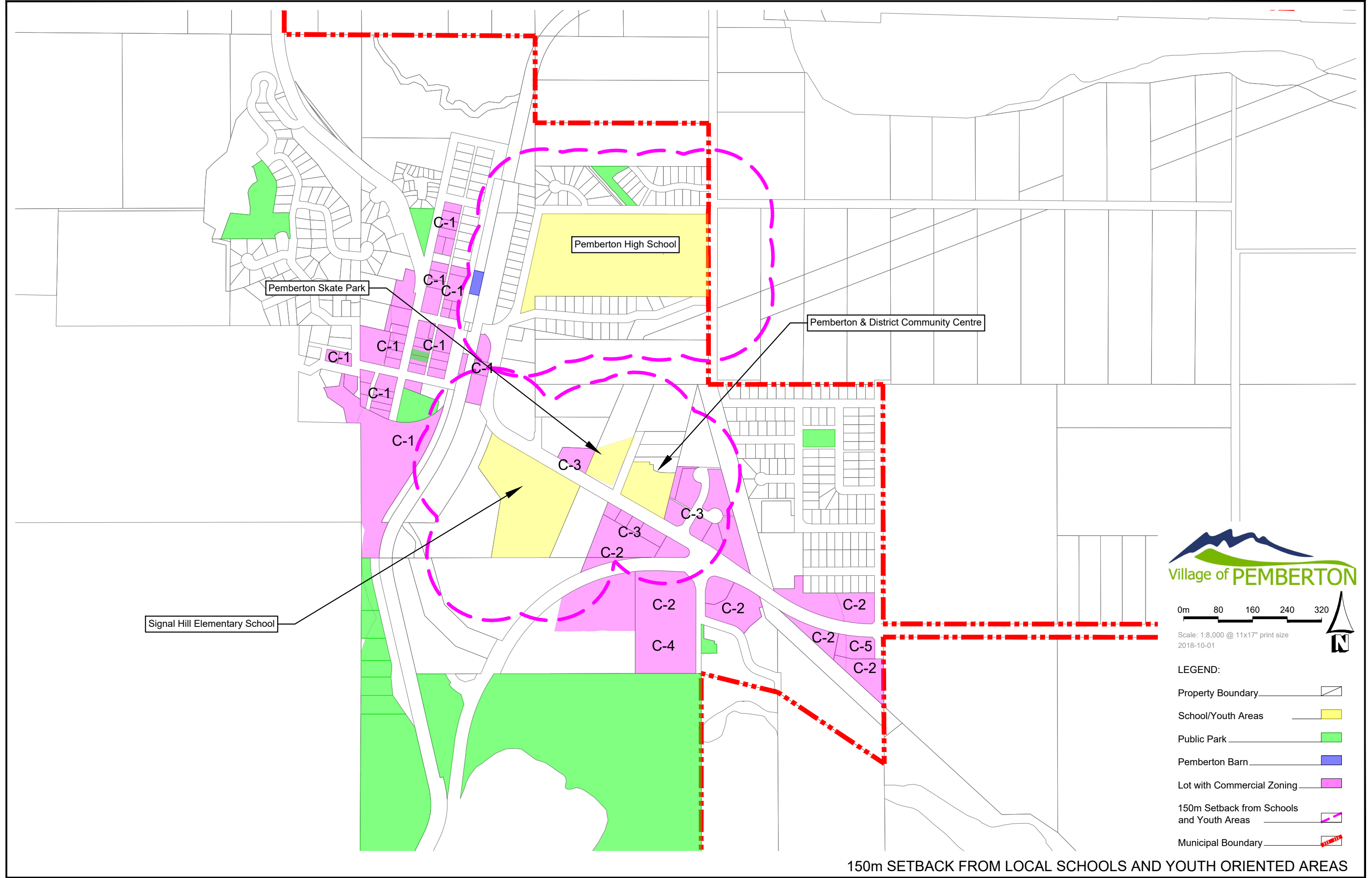
- A non-medical (recreational) cannabis retail business must obtain a Village of Pemberton Business Licence before operating their business.
- The annual fee for a Business Licence for a non-medical (recreational) cannabis retail business shall be established at a rate not less than \$1,500. Business Licences are renewed on January 1 of each calendar year and expire on December 31 of the same year.
- Business Licence requirements for non-medical (recreational) cannabis retail businesses shall be determined by the Village of Pemberton Business Licence Bylaw, as amended or replaced from time to time.
- Applicants must provide at minimum the following documents upon submission of their business licence application:
  - Proof of Provincial Licence Issuance from the LCRB;
  - Proof of Completion of the LCRB Employee Training Program;
  - Security Plan;
  - Permission from the owner of the building, if the space is rented or leased.

## Signage

- Signage Requirements for non-medical (recreational) cannabis retail businesses shall be as determined by the Village of Pemberton Sign Bylaw, as amended or replaced from time to time.

# Non-Medical (Recreational) Cannabis Retail Licence Application Process





LEGEND:

Property Boundary	
School/Youth Areas	
Public Park	
Pemberton Barn	
Lot with Commercial Zoning	
150m Setback from Schools and Youth Areas	
Municipal Boundary	

150m SETBACK FROM LOCAL SCHOOLS AND YOUTH ORIENTED AREAS

## VILLAGE OF PEMBERTON

## BYLAW No. 847, 2018

---

**Being a bylaw to amend the Village of Pemberton Zoning Bylaw No. 832, 2018**

---

**WHEREAS** pursuant to Section 137 of the *Community Charter* a Council may amend its Zoning Bylaw from time to time;

**AND WHEREAS** the Council of the Village of Pemberton deems it desirable to permit Recreational Cannabis Retail Sales in its Town Centre Commercial (C-1) Zone;

**NOW THEREFORE** the Council of the Village of Pemberton in open meeting assembled **ENACTS AS FOLLOWS:**

**1.            CITATION**

This Bylaw may be cited as “Village of Pemberton Zoning Bylaw No. 832, 2018 Zoning Amendment (Cannabis, Retail) Amendment Bylaw No. 847, 2018”.

**2.            Village Zoning Bylaw No. 832, 2018 be amended as follows:**

a) Part 3: Definitions:

i.        by adding the following in correct alphabetical order:

“**Cannabis, Dispensary** means a use of buildings or structures, in which the use of cannabis for medicinal purposes is advocated, sold or consumed, and includes a Compassion Club.”

“**Cannabis, Retail** means a use of buildings or structures, licensed under provincial authority for the retail sale of non-medical (recreational) cannabis and/or non-medical (recreational) cannabis containing products for consumption off-premises.”

b) Section 15.1. Commercial, Town Centre (C-1)

i.        By adding ‘**Cannabis, Retail**’ to the list of Permitted Principal Uses in 15.1.1., as (c) and re-lettering all subsequent uses.

ii.       By adding the following Conditions of Use relevant to **Cannabis, Retail**:

- **Cannabis, Retail** is not permitted:
  - (a) within one hundred and fifty (150) metres of the nearest property line of a site containing a School,

Community Centre, Library, Daycare, Skate Park, BMX Track or other youth-oriented facility.

**READ A FIRST TIME** this        day of        , 2018.

**READ A SECOND TIME** this        day of        , 2018.

**NOTICE OF PUBLIC HEARING** for **Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment Bylaw (Cannabis, Retail) Amendment Bylaw No. 847, 2018 PUBLISHED IN THE Pique Newsmagazine** on this        day of        , 2018 and on this day of        , 2018.

**PUBLIC HEARING HELD** this        day of        , 2018.

**READ A THIRD TIME** this        day of        , 2018.

**ADOPTED** this        day of        , 2018.

\_\_\_\_\_  
Mayor  
Mike Richman

\_\_\_\_\_  
Corporate Officer  
Sheena Fraser