

**VILLAGE OF PEMBERTON  
-COMMITTEE OF THE WHOLE MEETING AGENDA-**

**Agenda** for the **Committee of the Whole** of Council of the Village of Pemberton to be held Tuesday, December 11, 2018 at 10:00 a.m. in Council Chambers, 7400 Prospect Street. This is Meeting No. 184.

*“This meeting is being recorded on audio tape for minute-taking purposes as authorized by the Village of Pemberton Audio recording of Meetings Policy dated September 14, 2010.”*

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<b>Item of Business</b>	<b>Page No.</b>
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**1. CALL TO ORDER**

In honour of the Lil'wat7ul, the Village of Pemberton acknowledges that we are meeting within the unceded territory of the Lil'wat Nation.

**2. APPROVAL OF AGENDA**

1

**Recommendation:** THAT the Agenda be approved as presented.

**3. ADOPTION OF MINUTES**

**a) Committee of the Whole No. 183, Tuesday, November 27, 2018**

3

**Recommendation:** THAT the minutes of the Committee of the Whole Meeting No. 182, held Tuesday, October 2, 2018 be adopted as circulated.

**4. NON-MEDICAL CANNABIS RETAIL STORE LICENCE APPLICATION**

9

**Background Information Provided:**

- November 27, 2018 – Report to Council – Retail Licence Referral
- March 20, 2018 – Report to Committee of the Whole – Cannabis Retail Flow Chart
- September 4, 2018 – Report to Committee of the Whole – Cannabis Retail Sales Draft Policy
- October 2, 2018 – Report to Council – Amended Cannabis Retail Sales Policy
- October 16, 2018 – Report to Council – Zoning Amendment Bylaw No. 847, 2018
- October 16, 2018 - Zoning Amendment Bylaw No. 847, 2018 – Adopted

**Recommendation:** THAT the Committee of the Whole recommend to Council that Council recommends support for the issuance of a Non-Medical Cannabis Retail Store Licence submitted by the Bison Group (Pemberton Hotel), located at 7423 Prospect Street, Pemberton B.C., for the following reasons:

- The subject property is compliant with the current Village Zoning Bylaw and *Non-Medical (Recreational) Cannabis Retail Policy*;
- The views of nearby residents were sought by advertising the change in the Pique Newsmagazine and notification sent and that no views/objections were presented;
- The Pemberton Hotel is an established local business with experience in the secure sale of controlled substances; and
- The proposed cannabis retail licence will provide customers with a convenient, licenced and store-front location in the Village's Town Centre.

**5. DELEGATIONS**

a) **Lisa Trotter, Senior Manager, Government Relations, BC Transit – Update**

**6. LOCAL GOVERNMENT FINANCE OVERVIEW**

**Presentation by Lena Martin, Manager of Finance & Administration**

**7. ADJOURNMENT**

**VILLAGE OF PEMBERTON  
-COMMITTEE OF THE WHOLE MEETING MINUTES-**

**Minutes** for the **Committee of the Whole** of Council of the Village of Pemberton held Tuesday, November 27, 2018 at 1:00 p.m. in Council Chamber, 7400 Prospect Street. This is Meeting No. 183.

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**ATTENDING:** Mayor Mike Richman  
Councillor Ted Craddock  
Councillor Ryan Zant  
Councillor Amica Antonelli  
Councillor Leah Noble

**STAFF:** Nikki Gilmore, Chief Administrative Officer  
Sheena Fraser, Manager of Corporate & Legislative Services  
Lisa Pedrini, Senior Planner  
Jill Brooksbank, Communications & Grant Coordinator  
Gwendolyn Kennedy, Legislative Assistant

**Public:** 14

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**1. CALL TO ORDER**

At 1:03 p.m. Mayor Richman called the November 27, 2018 Committee of Whole meeting to order.

In honour of the Lil'wat7ul, the Village of Pemberton acknowledges that we are meeting within the unceded territory of the Lil'wat Nation.

**2. APPROVAL OF AGENDA**

Moved/Seconded

**THAT** the agenda be approved as circulated.

**CARRIED**

**3. ADOPTION OF MINUTES**

**a) Committee of the Whole No. 182, Tuesday, October 2, 2018**

Moved/Seconded

**THAT** the minutes of Committee of the Whole Meeting No. 182, held Tuesday, October 2, 2018, be adopted as circulated.

**CARRIED**

#### **4. COMMUNITY INITIATIVE & OPPORTUNITY FUND**

##### **a) Community Initiative & Opportunity Fund Background & Update Report**

Sheena Fraser, Manager of Corporate & Legislative Services, presented a report providing background on the Community Initiative & Opportunity Fund and summarizing the current funding commitments. Ms. Fraser noted that the long-term service agreement with the Pemberton and District Chamber of Commerce for the operation of the Visitor Information Centre expires at the end of 2018.

Mayor Richman invited the community group representatives to present their 2018 Final Reports.

##### **b) 2018 Final Reports**

###### **i. Pemberton BMX Society - Jessica Turner**

Jessica Turner, Treasurer, Pemberton BMX Society, presented an overview of the Society's activities and accomplishments since beginning operations in 2012. Plans include generating revenue from grants and coaching fees and exploring new revenue sources while continuing to offer low-cost programs that are accessible to all who wish to participate. The Society relies heavily on volunteers. Ms. Turner thanked the Village for their support and for providing funding for wages to assist with covering costs associated with the administrative work.

###### **ii. Pemberton & District Chamber of Commerce - Graham Turner, President, & Julie Kelly, Vice President**

Graham Turner, President, Pemberton & District Chamber of Commerce, presented a report summarizing the activities of the Visitor Information Centre and the Chamber of Commerce over the past year. The funding provided under the Community Initiative & Opportunity Fund long-term service agreement was applied to the wages of the Visitor Information Centre staff; Julie Kelly, Chamber Vice President, managed the operations of the Visitor Centre on a volunteer basis. The Chamber is anticipating many changes and challenges including the need for a new location for the Visitor Centre as the current site may not be available in the future.

Julie Kelly, Vice President, Pemberton & District Chamber of Commerce, thanked the Village for its support of the Visitor Information Centre operations to date.

### **c) Request for Funding 2019**

#### **i. Pemberton Arts Council - Penny Mclean, Chair**

Penny McLean, Chair, Pemberton Arts Council, presented a report highlighting the accomplishments of the Arts Council in 2018 and requesting continued funding through the CIOF program in 2019. Ms. McLean emphasized the change from annual membership fees to a lifetime membership, explaining that this change would draw new members. Accomplishments include the Arts & the Garlic festival that was made possible by a grant from the BC Arts Council and the 12<sup>th</sup> Annual Mountains of Art Gala. Ms. McLean noted that the Community Initiative & Opportunity Fund long-term service agreement has allowed the Arts Council to hire an administrator whose focus includes applying for grant funding with the goal of obtaining ongoing operational funding from the BC Arts Council. The long-term vision includes a centre for the arts that would include space for hosting of workshops and displaying art.

#### **ii. Pemberton Farmers Market Association - Naomi Martz, Farmers Market Board Member**

Naomi Martz, Pemberton Farmers Market Board Member, presented a report highlighting the accomplishments of the Market over the past year and requesting continued funding through the CIOF program in 2019. In 2017 the Farmers Market developed a strategic plan formalizing the vision, mission and guiding principles. The funding received from the Community Initiative & Opportunity Fund has allowed the Market to hire a Market Manager whose focus is on keeping the Community Barn full and vibrant on market days while ensuring that the Market operates under its guiding principles. Two successful programs include Pioneer Days and the inclusion of community groups on a free trial basis. The Market has seen an increase in sales over the past year, mainly due to the efforts of Mollie Reynolds, Market Manager. Successful fundraising events include Bard in the Barn and Stone Soup. In 2019 the focus will be on continued growth and on building on relationships with farmers and community groups. One objective is to work with the Village on the feasibility of installing a wind barrier as vendors have noted that the wind and dust are problematic.

#### **iii. Tourism Pemberton - Mark Mendonca, President**

Mr. Mendonca explained that Tourism Pemberton is requesting that funding be continued in 2019 to help fund the position of marketing manager noting that without this key role nothing will change. Mr. Mendonca emphasized the need for a study that will provide information on how tourism impacts the local economy and explained that Tourism

Pemberton will fund this project by reallocating money from their budget. Mr. Mendonca is confident that Tourism Pemberton will be successful in obtaining the BC Rural Dividend Program grant that will enable them to begin the process of applying for the Municipal and Regional District Tax. Mr. Mendonca clarified that this funding source will not be used for operational costs and declined to provide an estimate of operational costs.

**iv. Spirit of BC – Winterfest - Carlee Cindric, Winterfest Chair**

Carlee Cindric, Winterfest Chair, presented a report of the 2018 activities and finances of Spirit of BC – Winterfest Committee. Last year's event exceeded budget by \$222 due to the unexpected cost of event insurance. The 2018 event was a departure from previous events as it was held on December 31, 2017 and took place at the Pemberton Community Centre. The Committee held other events over the winter including the Much Music Dance Party on January 27<sup>th</sup> and the Adventure Hunt on February 3<sup>rd</sup> and provided umbrella marketing of Pemberton's other winter events to continue the celebration of winter through the season. Ms. Cindric noted that the Committee is requesting a one-year extension of their long-term funding agreement to allow them to present a family-friendly, no-cost New Years Eve event again this year, and to continue to provide pop-up events at One Mile Lake. Ms. Cindric noted that sponsorship funding is dwindling and that it is unlikely the Committee will continue to offer free events like these beyond the next two or three years.

Moved/Seconded

**THAT** the Community Initiative & Opportunity Fund Final Reports be received.

**CARRIED**

Moved/Seconded

**THAT** the Committee of the Whole recommend to Council that Staff send correspondence to the Squamish-Lillooet Regional District Board of Directors requesting that a Service Area Bylaw be established to ensure ongoing funding for groups that cannot become financially self-sufficient.

**CARRIED**

**5. DELEGATIONS**

At 2:36 p.m. Councillor Zant declared a conflict of interest pursuant to section 100 (1) (a) of the *Community Charter* as he is an employee of Blackcomb Helicopters and left Council Chambers.

**a) Andy Meeker, Base Operations Manager, Blackcomb Helicopters  
Heli-biking Tenure Application – Summary of Tenure Application  
Amendments**

Andy Meeker, Base Operations Manager, Blackcomb Helicopters, and Todd Helinga, Cascade Environmental, presented a report outlining the changes made to their previously submitted heli-biking tenure application in response to public and stakeholder comments.

Significant changes include withdrawal of all proposed trails in the Tenquille-Owl Lake Recreation Area, the addition of trails on Mount Currie and Mount Gravel, a new trail on Appa Glacier Ridge, and long-term plans for a trail on the east ridge of Mount Millar. The Rutherford Ridge (Sootip) route will be amended to exclude the eastern portion of the area. The impact of these changes will be to reduce helicopter flights over populated areas and negative impacts on wildlife. None of the routes will be accessible from the valley bottom, reducing the likelihood of unmanaged use. All heli-biking tours will be small fully guided tours to ensure that clients are supervised and informed of proper behavior in sensitive areas.

In response to questions regarding potential benefits to Pemberton, Mr. Meeker suggested that some clients may make use of accommodation and services in Pemberton and may choose to return for future visits. He noted that bringing heli-biking tourists to Pemberton is another step to defining Pemberton as an adventure tourism destination.

In response to a question from Council, Mr. Meeker noted that noise from helicopters at the staging area will not be perceptible from Pemberton, and that this is the staging area currently in use by Whistler Heli-Skiing. Mr. Meeker clarified that all trails will be built in the cross-country style to Whistler Trail Standards, which are guidelines to be followed, and that there will be no downhill trails.

At 2:59 p.m. the Committee of the Whole meeting was recessed.

At 3:00 p.m. the Committee of the Whole meeting was reconvened.

At 3:00 p.m. Councillor Zant returned to Council Chambers.

## 6. ADJOURNMENT

Moved/Seconded

**THAT** the Committee of the Whole meeting be adjourned.

**CARRIED**

At 3:00 p.m. the Committee of the Whole meeting was adjourned.

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Mike Richman  
Mayor

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Sheena Fraser  
Corporate Officer

DRAFT



**Date:** November 27, 2018

**To:** Nikki Gilmore, Chief Administrative Officer

**From:** Lisa Pedrini, Senior Planner

**Subject:** Non-Medical Cannabis Retail Licence Application Referral - Pemberton Hotel

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### **PURPOSE**

The purpose of this report is to seek Council's support for a cannabis retail store licence for a location proposed in the Pemberton Hotel.

### **BACKGROUND**

The Pemberton Hotel has applied to the provincial Liquor and Cannabis Regulation Branch (LCRB) to operate a cannabis retail establishment in the store-front in the northeast corner of the Pemberton Hotel. A copy of the Notice of Application, including a site plan, received from the LCRB on October 4<sup>th</sup>, 2018 is attached as **Appendix A**.

The Village adopted a *Non-Medical (Recreational) Cannabis Retail Policy (Cannabis Policy)* on October 2<sup>nd</sup>, 2018 that directs the Village to gather the views of nearby residents, businesses and property owners within 100 meters of the proposed location through written notification and the community in general through two (2) consecutive ads in the local newspaper. The Policy is attached as **Appendix B**.

The Village also adopted a Zoning Bylaw Amendment on October 16<sup>th</sup> that permits Cannabis Retail in the C-1 Zone under the following conditions: the location is more than 150 meters away from Schools, the Community Centre, Youth Centre, Skateboard Park or other youth oriented facility; and that not more than two (2) Cannabis Retail establishments be in operation at the same time. Zoning Amendment Bylaw No. 847, 2018 is attached as **Appendix C**.

Written notification was mailed out to all residents, businesses and property owners located within 100 meters of the Pemberton Hotel on November 13<sup>th</sup> 2018 and placed in the Pique Newsmagazine on November 15<sup>th</sup> and 22<sup>nd</sup>, 2018, attached as **Appendix D**. At the time of preparing this report, no comments were received.

### **DISCUSSION & COMMENTS**

The cannabis regulation laws of B.C. require municipal government support for Cannabis Licenses otherwise the application process is halted. According to the province, if the local government is to consider the notice of application and provide comments and recommendations as to the location of the proposed retail store, it must gather the views of residents of the area, if the location of the proposed store may affect nearby residents.

The following is discussion on the merits of the referral:

- a) The location of the establishment is at 7423 Prospect Street.

*The subject property is zoned Town Centre Commercial 1 (C-1) and as per Zoning Bylaw No.832, 2018, as amended, "Cannabis, Retail" is a permitted use in the C-1 Zone.*

- b) The proximity of the establishment to public and youth oriented locations.

*There are public parks in the vicinity (Pioneer Park, Fougberg Park and the Community Barn) and public buildings such as the Art Barn, the Dyking District Office, the Village of Pemberton Offices and RCMP. Outside of the Community Barn, these locations are not typically frequented by children and youth. The proposed location is more than 150 meters away from Schools, the Community Centre, Youth Centre, Skateboard Park and BMX track.*

- c) The hours of operation of the establishment.

*The Village's Cannabis Policy only allows cannabis retail establishments to operate between the hours of 9 am and 9 pm. Although the applicant noted their intention to stay open until 11 pm, the Village has notified the applicants that this would not be in compliance with the Village's Cannabis Policy.*

- d) The impact of the use on the community in the immediate vicinity of the establishment.

*At this point in time, there are no other Cannabis Licences within the C-1 Zone. The Pemberton Hotel has an existing pub and private liquor store on the premises. This location appears ideal to also house a separate private cannabis retail store, giving customers convenient access in a location that is well known for the sale of controlled substances like liquor and tobacco.*

- e) The impact on the community if the application is approved.

*Given the fact that the Village did not receive any comments after advertising the application and sending notification that the application is being considered, there is no perceived negative impact on the community.*

Staff recommends that the application be supported.

## **COMMUNICATIONS**

As per the requirements set out in the *Non-Medical (Recreational) Cannabis Retail Policy*, the Village provided notice through an ad in the Pique Newsmagazine on November 15<sup>th</sup> and 22<sup>nd</sup> and through a direct mail-out to property owners and businesses within 100 meters of the Pemberton Hotel.

The Village did not receive any comments on the application.

### **LEGAL CONSIDERATIONS**

Liquor Licences are issued by the provincial Liquor & Cannabis Regulation Branch. This item does not require legal review or consideration.

### **IMPACT ON BUDGET & STAFFING**

Review of the Liquor Licence changes was facilitated in-house. Costs associated with advertising and mail-out has been covered by the referral fee of \$500.00 paid by the applicants. Staff time has not been covered.

### **INTERDEPARTMENTAL IMPACT & APPROVAL**

There are no interdepartmental impacts or approvals required respecting the processing of this application as it is a function of the Operations and Development Services Department.

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

There are no impacts on the region or neighbouring jurisdictions.

### **OPTIONS FOR CONSIDERATION**

- Option One:** That Council supports the issuance of the Cannabis Licence as presented.
- Option Two:** That Council does not support the issuance of the Cannabis Licence in this location.
- Option Three:** That Council provides an alternative option.

### **POTENTIAL GOVERNANCE CONSIDERATIONS**

This is consistent with Strategic Theme: Economic Vitality through supporting a competitive and diversified economy.

### **RECOMMENDATIONS**

**THAT** Council recommends support for the issuance of a Cannabis Retail Licence for the Pemberton Hotel, located at 7423 Prospect Street, Pemberton B.C., for the following reasons:

- The subject property is compliant with the current Village Zoning Bylaw and *Non-Medical (Recreational) Cannabis Retail Policy*;
- The views of nearby residents were sought by advertising the change in the Pique Newsmagazine and notification sent and that no views/objections were presented;
- The Pemberton Hotel is an established local business with experience in the secure sale of controlled substances; and
- The proposed cannabis retail licence will provide customers with a convenient, licenced and store-front location in the Village's Town Centre.

**Attachments:**

**Appendix A:** Notice of Application from LCRB

**Appendix B:** Non-Medical (Recreational) Cannabis Retail Policy, adopted October 2, 2018

**Appendix C:** Zoning Amendment Bylaw No. 847, 2018, adopted October 16, 2018

**Appendix D:** Public Notification

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



Job #001232

October 04, 2018

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

Dear Lisa Pedrini:

**Re: Application for a Non-Medical Cannabis Retail Store Licence**  
**Applicant: Bison Group Management Ltd.**  
**Proposed Establishment Name: Green Planet**  
**Proposed Establishment Location: Box 128, 7423 Frontier Street Pemberton BC**

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The Applicant, Bison Group Management Ltd., has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) licence proposed to be located at the above-noted address. The applicant is requesting operating hours from 9:00am to 11:00pm. The applicant contact is Son Sir De/604-910-1429/desonsir@gmail.com.

Local governments and Indigenous nations are a crucial part of the licensing process. Section 33(1) of the [Cannabis Control and Licensing Act](#) prevents the LCRB from issuing a CRS licence without a positive recommendation regarding the CRS licence application from the local government or Indigenous nation.

The LCRB is requesting The Village of Pemberton to consider the application and provide the LCRB with a written recommendation with respect to the application. To assist with your assessment of the application, a site map of the proposed cannabis retail store is attached. The following link opens a document which provides specific and important information and instructions on your role in the CRS licensing process, including requirements for gathering the views of residents.

[Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores](#)

OR

[Indigenous Nations' Role in Licensing Non-Medical Cannabis Retail Stores](#)

The LCRB will initiate an applicant suitability assessment regarding this CRS application, also known as a “fit and proper” assessment, which is comprised of financial integrity checks and security screenings of the applicant and persons associated with the applicant. Once the

Liquor and Cannabis  
 Regulation Branch

Mailing Address:  
 PO Box 9292 Stn Prov Govt  
 Victoria BC V8W 9J8

Location:  
 645 Tye Road  
 Victoria BC V9A 6X5  
 Phone: 250 952-5787  
 Facsimile: 250 952-7066

Website:  
[www.gov.bc.ca/cannabisregulationandlicensing](http://www.gov.bc.ca/cannabisregulationandlicensing)  
 Village of Pemberton  
 Committee of the Whole Meeting No. 184  
 Tuesday, December 11, 2018

assessment is complete, you will be notified of the LCRB's determination. You may choose to withhold your recommendation until the LCRB has made a final decision regarding the applicant's suitability.

If you choose not to make any recommendation regarding this application, please contact the LCRB at the earliest convenience. Please note that a Cannabis Retail Store Licence cannot be issued unless the LCRB receives a positive recommendation from the local government or Indigenous nation. Similarly, if a local government or Indigenous nation decides not to make any recommendation, the LCRB will not consider the application any further.

If you have any questions regarding this application please contact me at 778-698-3135 or TanyaLynn.Frey@gov.bc.ca.

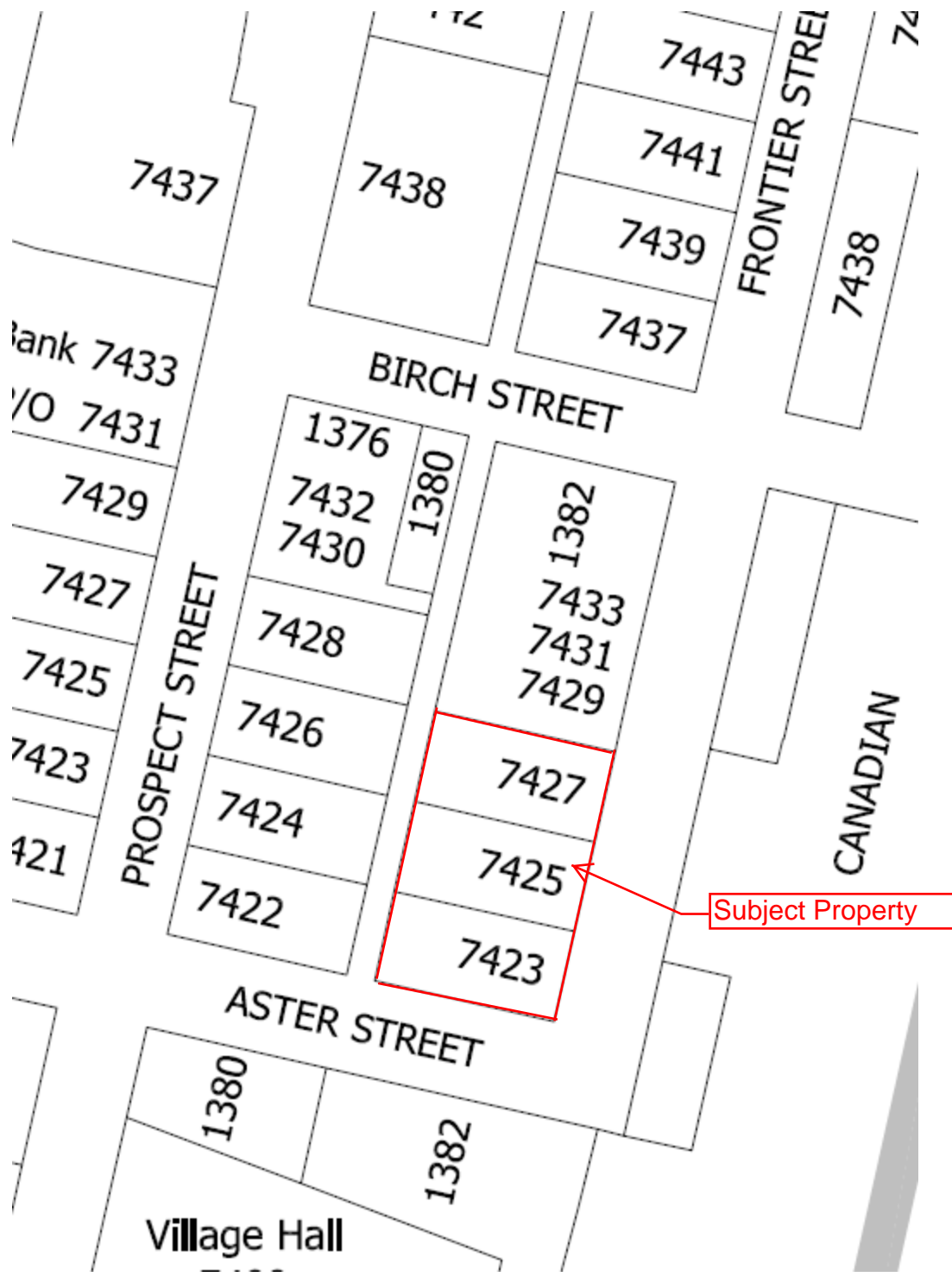
Sincerely,



Tanya Frey  
Senior Licensing Analyst

Attachment

copy: LCRB Inspector  
Son Sir De





PVDD

AC GAS

SPUD VALLEY

Property of the company

Pub (ground floor)

Lobby (ground floor)

Hotel Rooms 2nd floor

storage

Liquor Store (ground floor)

empty commercial space (ground floor)

Space for Cannabis Store (ground floor)

Proposed Store-front Location

AG FOODS

BIRCH ROAD

FRONTIER STREET

SNOW STORAGE

SNOW STORAGE

Village of Pemberton  
Committee of the Whole Meeting No. 184  
Tuesday, December 11, 2018



# Non-Medical (Recreational) Cannabis Retail Policy

Department:	Development Services	Policy No.:	DEV-011
Sub-department:	Planning	Created By:	Lisa Pedrini
Approved By:	Council	Amended By:	
Approved Date:	2 October 2108	Amendment:	
Meeting No.:	1477	Meeting No.:	

## POLICY PURPOSE

The *Non-Medical (Recreational) Cannabis Policy* identifies the requirements for the sales of non-medical (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 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

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- To permit the legal and controlled sale of non-medical (recreational) cannabis within the Village of Pemberton.
- To encourage locations that integrate 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).
- 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

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**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

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### 1. 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.
- Council will make their recommendation based in part on the views of nearby residents. Views of nearby residents will be gathered by mailing or otherwise delivering a written notification to properties within 100 metres of the proposed non-medical (recreational) cannabis retail business location and by placing notices 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 recommend the application be supported 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.

## 2. Application Referral Review Fee

- The Village of Pemberton will charge a review fee of not less than \$500.00 payable by the Applicant per referral.

## 3. Land Use and Zoning

- The Village of Pemberton Zoning Bylaw No. 832, 2018 prohibits medical cannabis dispensaries in all zones.
- In order for non-medical (recreational) cannabis retail sales to be permitted in the Village of Pemberton, the Village will initiate a Zoning Amendment to permit non-medical (recreational) cannabis retail in the Town Centre Commercial (C-1) Zone, under certain Conditions of Use.
- A maximum of two (2) non-medical (recreational) cannabis retail businesses will be permitted to operate in the Town Centre Commercial (C-1) Zone at one time.

## 4. Conditions of Use - Distancing Requirements

- Locations for non-medical (recreational) cannabis retail businesses must be at least one hundred and fifty (150) meters away 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 (buffers) is attached as **Appendix B**.

## 5. Conditions of Use - Operational Requirements

- A 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.

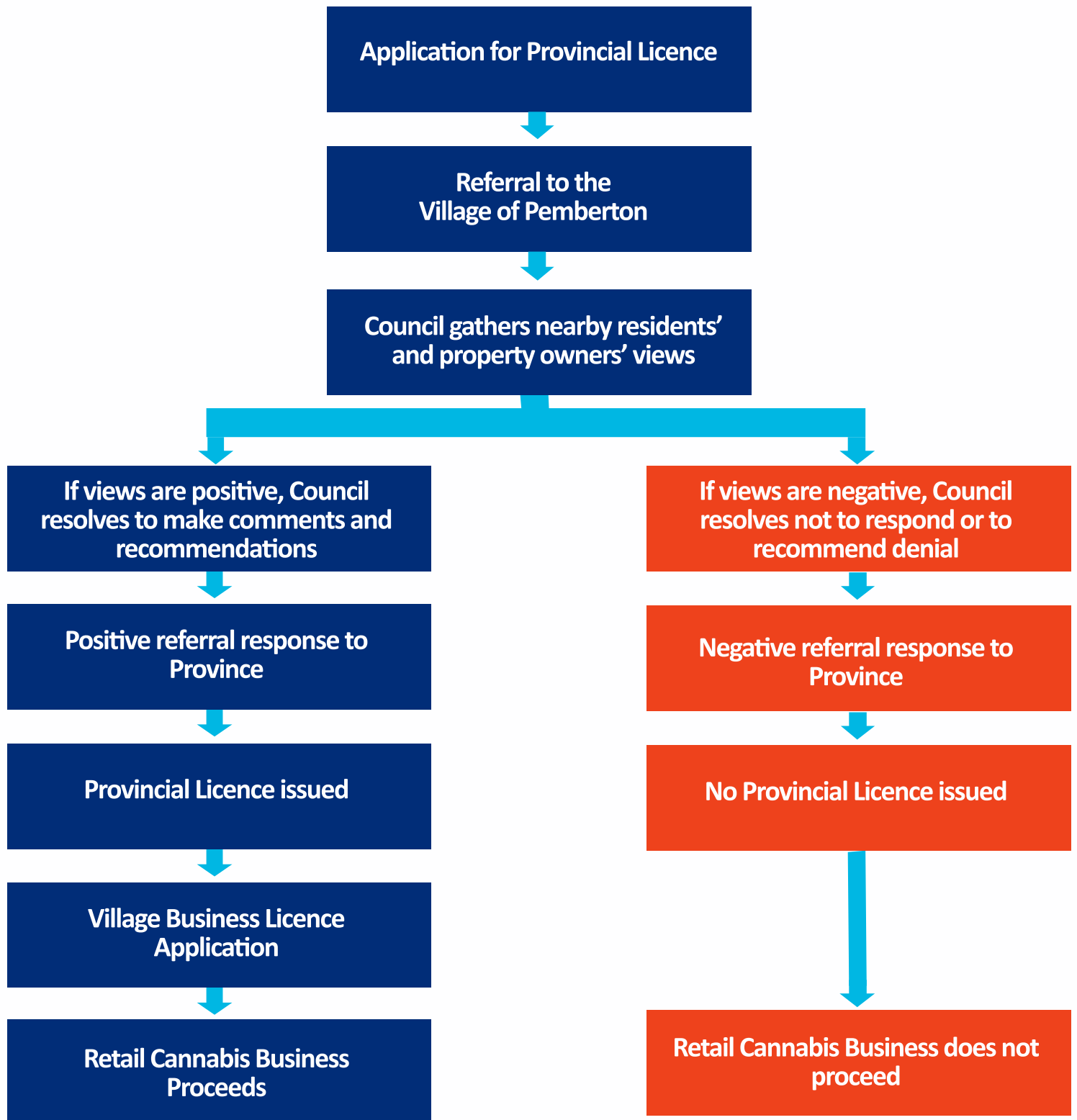
## 6. Business Licence Fee and Requirements

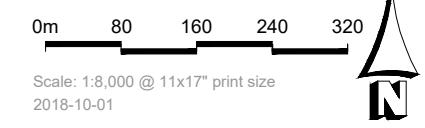
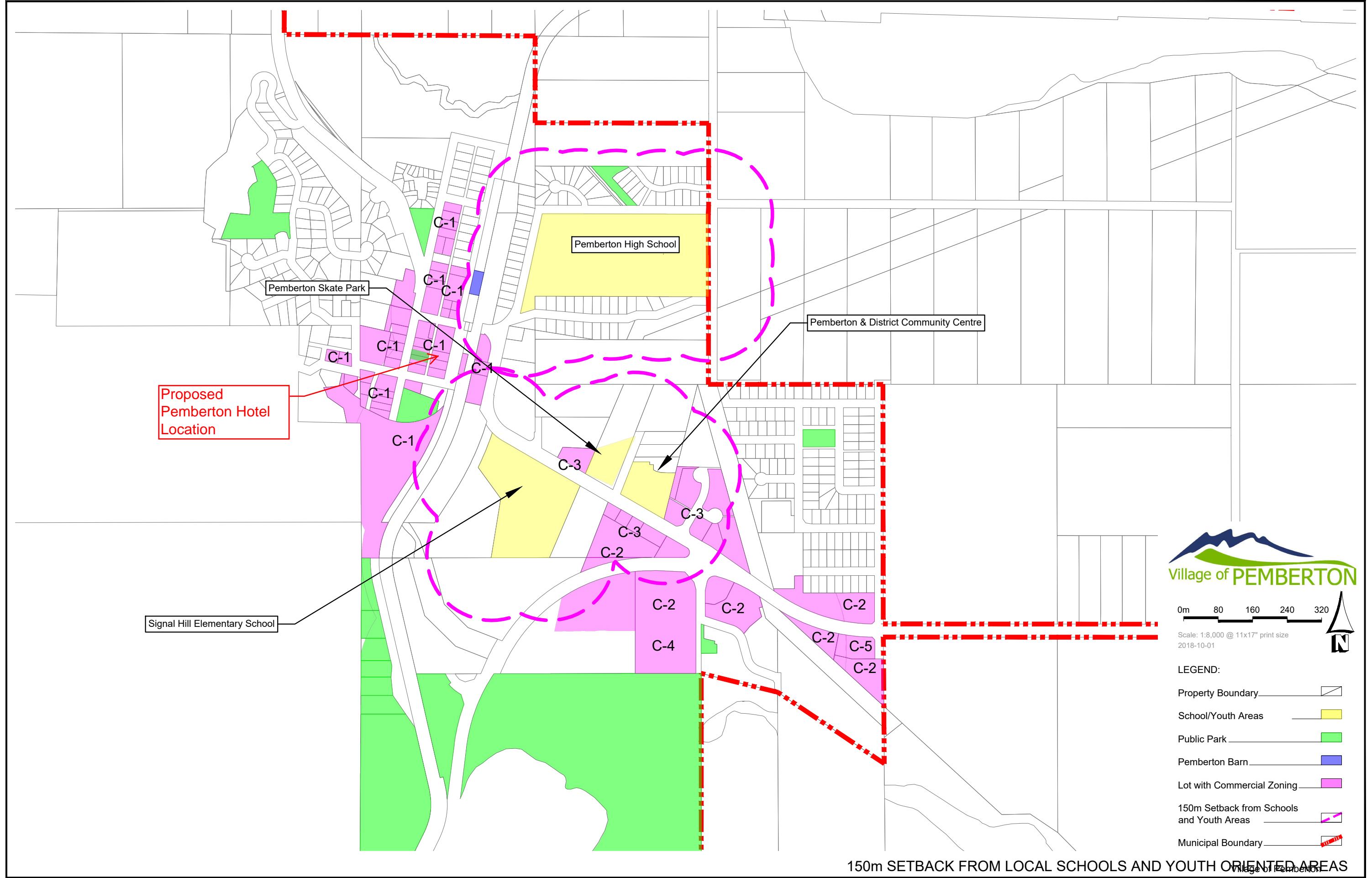
- A non-medical (recreational) cannabis retail business must obtain a Village of Pemberton Business Licence before operating their business.
- The annual fee for a Business Licence for a non-medical (recreational) cannabis retail business shall be established at a rate not less than \$1,500. Business 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 a 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.

## 7. 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) 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:**

(a) **Cannabis, Retail** is not permitted 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.  
(b) Not more than two (2) **Cannabis, Retail** uses will be permitted at any one time.

**READ A FIRST TIME** this 2nd day of October, 2018.

**READ A SECOND TIME** this 2nd day of October, 2018.

**NOTICE OF PUBLIC HEARING for Village of Pemberton Zoning Bylaw No. 832, 2018, Amendment (Cannabis, Retail) Bylaw No. 847, 2018 PUBLISHED IN THE Pique Newsmagazine** on this 4th day of October, 2018 and on this 11th day of October, 2018.

**PUBLIC HEARING HELD** this 16th day of October, 2018.

**READ A THIRD TIME** this 16th day of October, 2018.

**ADOPTED** this 16th day of October, 2018.

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

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





# Village of Pemberton

## Council Consideration of Support for a Cannabis Retail Store Licence

Notice is hereby given in accordance with the *Village of Pemberton Non-Medical (Recreational) Cannabis Retail Policy* that Council will consider support for a Cannabis Retail Store Licence in the Town Centre Commercial (C-1) Zone at the Regular Council Meeting scheduled for **Tuesday, November 27th commencing at 9am in Council Chambers, 7400 Prospect Street, Pemberton, BC.**

### Meeting to Consider Application

Tuesday, November 27th  
9am  
Council Chambers  
7400 Prospect Street  
Pemberton BC

### Public Welcome

#### What is the proposed location and operating hours?

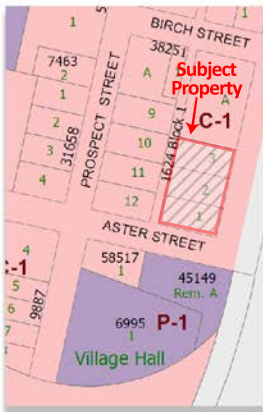
The Applicant, Bison Group Management Ltd., has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) licence proposed to be located in the Pemberton Hotel at 7423 Frontier Street, Pemberton, BC. The proposed operating hours will be 9:00am to 9:00pm, as per the *Non-Medical (Recreational) Cannabis Retail Policy*.

#### How can I provide feedback ?

You may provide comment in-person at the meeting in which the application is being considered, or you may provide a written submission to the attention of Lisa Pedrini, Senior Planner via email: [lpedrini@pemberton.ca](mailto:lpedrini@pemberton.ca) or via mail/in-person: Box 100, 7400 Prospect Street, Pemberton, BC V0N 2L0 prior to noon, Monday, November 26th, 2018.

#### How do I get more info?

A copy of relevant documents and the application under consideration may be inspected at the Village of Pemberton Office, 7400 Prospect Street from Thursday, November 15th to Monday, November 26th during regular office hours (8:30am – 4:30pm), Monday through Friday and also online at [www.pemberton.ca](http://www.pemberton.ca). For more information contact Lisa Pedrini, Senior Planner at 604-894-6135 or [lpedrini@pemberton.ca](mailto:lpedrini@pemberton.ca).



Village of Pemberton  
Committee of the Whole Meeting No. 184  
Tuesday, December 11, 2018

**Date:** March 20, 2018  
**To:** Nikki Gilmore, Chief Administrative Officer  
**From:** Sheena Fraser, Manager of Corporate & Legislative Services  
**Subject:** Non-Medical Cannabis Retail Sales – Flow Chart

**PURPOSE**

The purpose of this report is to present to the Committee of the Whole a flow chart that sets out steps the Village should be considering related to Non-Medical Cannabis (NMC) Retail Sales.

**BACKGROUND**

In 2016, the Village received an application to open a medical marihuana dispensary in the Village. At that time, upon the recommendation of Legal Counsel, the Village proceeded with a Zoning Amendment Bylaw to prohibit the retail sales of medical marihuana until the federal legislation changed to legalize this use. By prohibiting the retail sale of medical marihuana (now being referred to as cannabis) it provided the Village time to understand how the legislation would change, and what the role of the Province and Local Governments would be in administering the legislation. As well, with the lack of any set regulations or guidelines there were and still are many unknowns with respect to how these changes will roll out.

*BILL C-45, Cannabis Act*, was introduced in the House of Commons on April 13, 2017, received Third Reading on November 27, 2017 and is now being considered by the Senate. It was hoped that BILL C-45 would receive Royal Assent with the aim to have the implementation of legal cannabis in place by July 1, 2018. However, as recently as early February, it is being reported that it is unlikely the July 1<sup>st</sup> deadline will be met as there is still much work to be done. Some provincial officials and law enforcement agencies have raised concern about whether or not they will be ready for the new changes in legislation which has caused the delay.

At the Committee of the Whole Meeting No. 172, held Tuesday, February 20, 2018, two memorandums from Lidstone & Company that summarized the Province’s just released *BC Cannabis Private Retail Licencing Guide: Applications and Operations* and provided an overview of what local governments should consider doing to be prepared for the legalization of NMC retail sales. The memorandums are attached as **Appendix A** and **B**.

In this regard, the Committee of the Whole passed the following resolution:

*Moved/Seconded*

**THAT** Staff prepare a summary of the local government considerations presented in the Memorandum by Lidstone & Company, titled “Local Government To Do List to Prepare for Cannabis Sales” for discussion at a future Committee of the Whole Meeting.

**CARRIED**

## **DISCUSSION & COMMENTS**

In response to the Committee's request, Staff has developed a decision making flow chart that will need to be undertaken to be prepared for when the *Cannabis Act* is in place. (**Appendix C**) There a number of decision points that Council must consider.

### **Step One: Prohibit or Permit (FLOW CHART – Page 1)**

The first item for the Village to consider is whether there is an interest to allow the retail sales of NMC within the Village's boundaries. If it is determined that the Village is not interested in supporting this type of retail sales, then the prohibition would remain in place and there would be no further work required. However, if it is determined that there is an interest in allowing the use then there is a number of steps that will need to be taken including the development of policy, preparation of new amendment bylaws (to the Zoning Bylaw and the Business Licence Bylaw) and procedures for the administration of this new form of use.

### **Step Two: Policy Development (if permitted) (FLOW CHART – Page 2)**

As noted in the Lidstone memorandum, Local Governments have the ability to set some of its own rules and regulations respecting NMC retail sales. In order to be prepared, Staff are seeking direction with respect to the following as public consultation may be required in some circumstances:

- The number of retail outlets allowed within the Village Further restrictions to the Province's set Hours of Operation
- Other requirements as may be requested by Council

The development of the Policy respecting NMC will include public consultation to ensure that the Policy reflects the desires of the community.

### **Step Three: Preparation of a Zoning Amendment Bylaw (to permit the land use) (FLOW CHART – Page 3).**

As the sale of NMC is not yet legal and there are still so many unknowns, the Village's Solicitors strongly recommended that the prohibition of retail sales continue to be in force in the new DRAFT Zoning Bylaw being prepared for presentation to the Committee and the community in early April. Once the *Cannabis Act* has been passed and the laws have changed and if the Village decides to permit the sale of NMC, then the new Village's Zoning Bylaw will need to be amended to reflect that the use is now permitted in the appropriate zones (to be determined).

In this regard, in order to be prepared Staff is seeking Council's direction with respect to the which Zones NMC would be permitted and the establishment of distancing requirements from Parks, Schools and other public places. (**Appendix D**)

#### **Step Four: Establish Business Licencing Regulations (FLOW CHART page 4)**

Once it has been determined which Zones a NMC may be located and what the distancing requirements will be, the next step will be to establish requirements and/or regulations with respect to the issuance of a Village of Pemberton Business Licence. Consideration should be given to the following:

- Proof of Provincial Licence Issuance
- Proof of completion of Employee Training Program
- Security Plan

#### **Step Five: Business Licence Amendment Bylaw (FLOW CHART page 5)**

Upon confirmation of the Business Licence requirements, the next step will be to consider whether or not the current Business Licence fee of \$150/year is suitable. If it is determined that it would be appropriate to set a different fee for NMC, then the Business Licence Bylaw will need to be amended to incorporate an additional fee.

#### **Step Six: Bylaw Enforcement (FLOW CHART page 6)**

As a result of new regulations being put in place through an amended Zoning and Business Licence Bylaw, it is anticipated that more bylaw enforcement will be required. The Village will need to establish to what extent resources will be put toward the enforcement of the new bylaws and to what level of enforcement will be taken. This additional enforcement is not able to be met with current staffing levels.

### **COMMUNICATIONS**

As noted in the flow chart, Staff is recommending that public consultation take place as a means to help with the development of the NMC Retail Sales policy, regulations and zoning amendment. This will include a public information session and an opportunity for residents to provide input through an online survey. As well, a Public Hearing will be held after the Zoning Amendment Bylaw has received Second Reading.

Notification of a public consultation period will be through the Village's various social media platforms such as Facebook, the eNEWS and on the website. Notification of the 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 NMC is not currently legal and will not be legal until the *Cannabis Act* comes into effect. As such, the Village has prohibited retail sales in the Zoning Bylaw to align with the current Federal legislation.

It is recommended that any policies, regulations and bylaws developed related to NMC use receives legal review to ensure alignment with Federal and Provincial laws.

### **IMPACT ON BUDGET & STAFFING**

Development of policy and procedures respecting NMC retail sales within the Village of Pemberton and the preparation of a Zoning Amendment will be facilitated in-house and included on Staff's workplans.

There will be some costs associated with advertising and legal review but those costs are unknown at this time.

As well it is anticipated that there will be budget implications with respect to the enforcement and administration of the Bylaws; however, these costs have not been determined.

### **INTERDEPARTMENTAL IMPACT & APPROVAL**

The development of policy, procedures and bylaws will involve the Operations & Development Services Department and Corporate and Legislative Services Department. The Office of the CAO will facilitate the communications elements of this initiative. Finally, once the procedures are in place and the Business Licence Bylaw adopted, the Finance and Administrative Services Department will also be involved with the collection of said fees.

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

At this time, there is no impact on the region or neighbouring jurisdictions; however, should it be decided to move forward with permitting NMC retail stores after the laws change then it is recommended that consultation take place with the SLRD and Lil'wat Nation.

### **ALTERNATIVE OPTIONS**

There are no alternative options for consideration.

### **POTENTIAL GOVERNANCE CONSIDERATIONS**

The consideration of this issue 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**

**THAT** the Committee of the Whole provide direction.

### **Attachments:**

- Appendix A: Lidstone & Company, February, 5, 2018, regarding Retail Licencing for Non-Medical Cannabis Update
- Appendix B: Lidstone & Company, February 5, 2018, regarding Local Government To Do List to Prepare for Cannabis Sales
- Appendix C: Flow Chart
- Appendix D: Distancing Map - example

Submitted by:	Sheena Fraser, Manager of Corporate and Legislative Services
CAO Approval by:	Nikki Gilmore, Chief Administrative Officer

# LIDSTONE & COMPANY

## BARRISTERS AND SOLICITORS

### MEMORANDUM

**TO:** Clients  
**FROM:** Ian Moore and Sara Dubinsky  
**DATE:** February 5, 2018  
**RE:** Retail Licencing for Non-Medical Cannabis Update

---

This memo summarizes the Province of British Columbia’s newly-released *BC Cannabis Private Retail Licencing Guide: Applications and Operations* (the “Guide”).<sup>1</sup> The Guide provides details regarding the Province’s intentions for the licencing and operation of non-medical cannabis (“NMC”) retail stores.

#### I. OVERVIEW

- The Government intends to establish a public/private model of NMC retail stores.
- Wholesale distribution of NMC will be managed solely through the Liquor Distribution Branch (“LDB”), which will also run public retail stores.
- The Liquor Control and Licencing Branch (“LCLB”) will be responsible for licencing and enforcement.
- NMC retail stores—both public and private—will be subject to a similar set of rules as liquor stores are now.
- Local governments will have significant control over the NMC retail environment.
- The rules governing rural retail stores are still under consideration and may ultimately be different than those for urban areas.

#### II. LICENCING OF RETAIL STORES

##### A. Application Requirements

Individuals and businesses wishing to operate an NMC retail store in British Columbia will need to obtain a licence from the Province. Licence applicants will need to:

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<sup>1</sup> See [https://news.gov.bc.ca/files/Cannabis\\_Private\\_Retail\\_Licensing\\_Guide.pdf](https://news.gov.bc.ca/files/Cannabis_Private_Retail_Licensing_Guide.pdf).

- provide information about the proposed location (i.e. PID, proof of ownership or a lease that does not expire for at least 12 months from the date of licence approval, floor plan);
- provide a background check of police/criminal records; and
- obtain the support of their local government.

Applicants with criminal records will not necessarily be prevented from obtaining a licence—the currency and relevance of the record will be assessed. Similarly, those currently operating illegal dispensaries will not be prohibited from receiving a licence nor will they be given preferential treatment in the application process. In short, all applicants will be subject the same requirements and evaluation criteria.

### **B. Local Government Influence on Licencing**

Local governments will have significant control over the NMC retail environment:

- **local government support is a mandatory prerequisite to issuance of a Provincial licence** to any applicant, including for public retail stores. Local governments will indicate their support (or lack thereof) by means of council/board resolution sent to LCLB after mandatory consultation with residents in the vicinity of a proposed store about community impacts.
- **local governments will be able to regulate the location of retail stores, including their distance from schools and other stores, through zoning; and**
- **local governments will be able to regulate the number of retail stores in their boundaries, including prohibiting them altogether.**

Notably, the Province will not be implementing its own regulations regarding the location of NMC stores or the number of stores allowed in each community.

### **C. Application Process Timeline**

While applications will be accepted when the Government launches its application portal in spring 2018, applications will only be assessed once legislation is passed.<sup>2</sup> Further information regarding how applicants can obtain local government support will be provided in the near future.

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<sup>2</sup> Additional information about the application process and portal will be found here: <https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation/licensing/cannabis-regulation>.



Finally, the Province will not be considering licencing consumption lounges or any other types of licencing (such as online sales, delivery services, or offsite sales at festivals and events) at this time.

### III. REGULATING OPERATIONS

#### A. General Operations Rules

Licensed NMC retail stores will only be able to operate as self-contained businesses and will not be able to combine with existing liquor and/or tobacco stores. Minors will not be allowed to enter NMC retail stores (rural stores may be exempt from these requirements). Unless additional regulations are implemented by a local government, stores will be allowed to be open from 9am to 11pm. Similarly, while the Province is considering security requirements for retail stores, local governments are free to implement their own additional security requirements. Consumption will not be allowed in stores.

#### B. What Can be Sold?

Licensed NMC stores will be able to sell federally-compliant and LDB-sourced dried cannabis, cannabis oils, and seeds. Cannabis accessories (e.g. pipes, bongs, vaporizers) will also be allowed, while edibles will not; however, the federal government has stated they will be regulating edibles within 12 months of legalization.

#### C. Compliance

The Province will be establishing a compliance program with education, inspection, and enforcement components. As part of this program, NMC retail employees will be required to attend a mandatory training and every store will be inspected at least once annually, in addition to inspections that occur as a result of complaints received by LCLB. Non-compliant stores will be issued Contravention Notices and non-compliance may lead to monetary penalties, licence suspension, and/or licence cancellation.

### IV. RURAL AREAS

The Province is considering implementing distinct rules for NMC stores in rural areas. In particular, they are considering allowing NMC to be sold within existing businesses (e.g. as in the case of liquor) and applying many of the operational requirements of the rural agency store model to the sale of NMC. The Province may also allow accompanied minors to enter retail stores selling NMC in rural areas.

# LIDSTONE & COMPANY

## BARRISTERS AND SOLICITORS

### MEMORANDUM

**TO:** Clients  
**FROM:** Sara Dubinsky  
**DATE:** February 6, 2018  
**RE:** Local Government To Do List to Prepare for Cannabis Sales

---

The Province has just released its proposed scheme for retail cannabis sales in British Columbia. This memo sets out the most pertinent provisions and our recommendations for local governments to prepare for legalization.

- 1. Local government support is a mandatory prerequisite to issuance of a Provincial retail licence**
- 2. The Province will not be regulating the location of cannabis retail stores or the number of stores allowed in each community**
- 3. Local governments may regulate the number of retail stores within their boundaries, and may prohibit them altogether**
- 4. Local governments may regulate the location of retail stores, including their distance from schools and other stores**
- 5. Local governments may impose security requirements and additional restrictions on hours of operations** - retail stores can otherwise operate between 9 am to 11 pm

The Province is providing for significant local government control over retail cannabis outlets. **Local governments should begin to consider and consult with respect to the following:**

- Banning retail sales altogether
- Capping the number of retail outlets
- Regulating permissible locations (by zones and/or proximity to certain uses)
- Refusing to support licence applications submitted by existing unlawful retail stores
- Imposition of security requirements and restrictions on hours of operation
- Requiring proof of Provincial licence issuance and successful completion of the Provincial employee training program as prerequisites to business licence issuance
- Adopting procedures for public consultation on licence applications
- Creating a new category of business licence fees
- Regulating public consumption

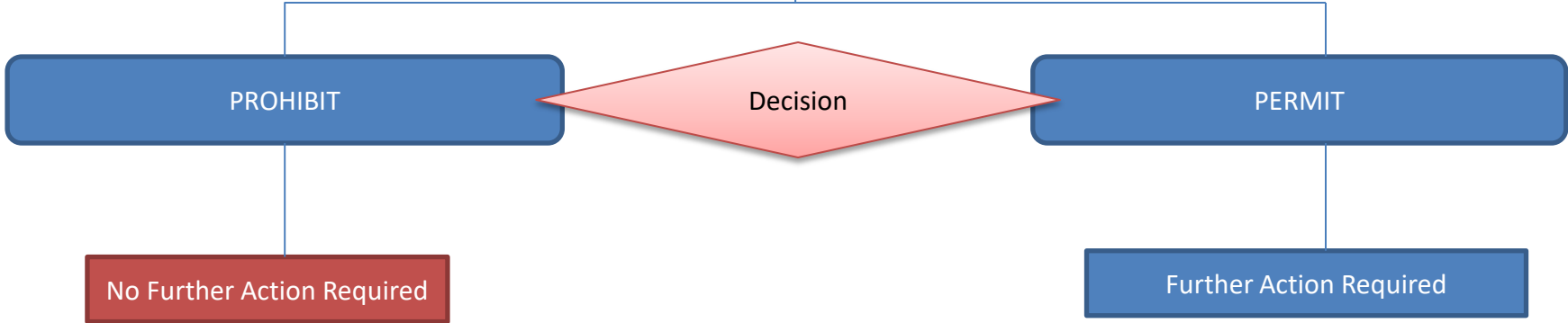
# *Cannabis Act (Bill C-45)*

## Decision Making Flow Chart

*Cannabis Act* Enacted  
by Federal Government –  
(Date still undetermined)

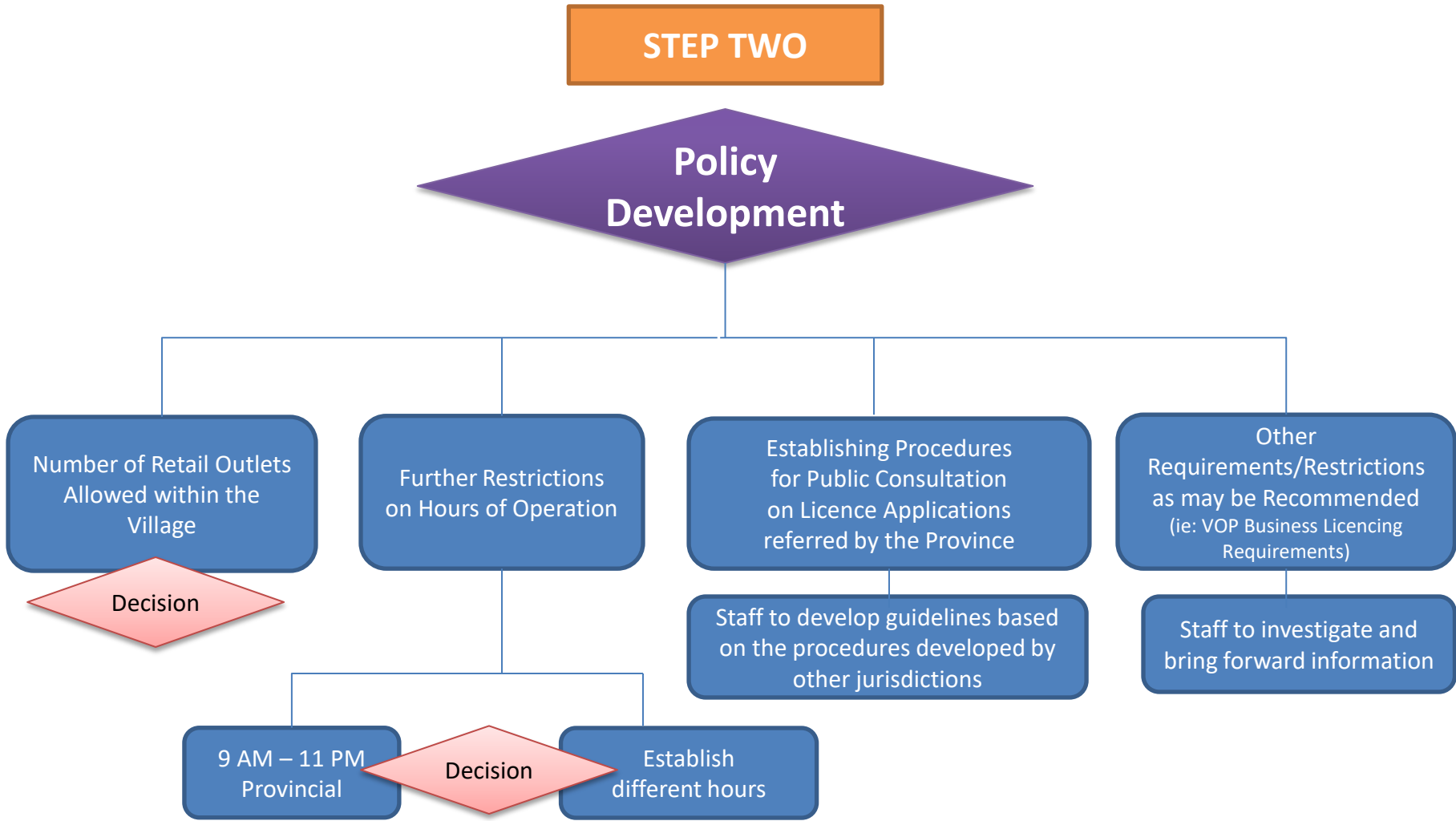
**STEP ONE**

Non Medical Cannabis (NMC) Retail Sales



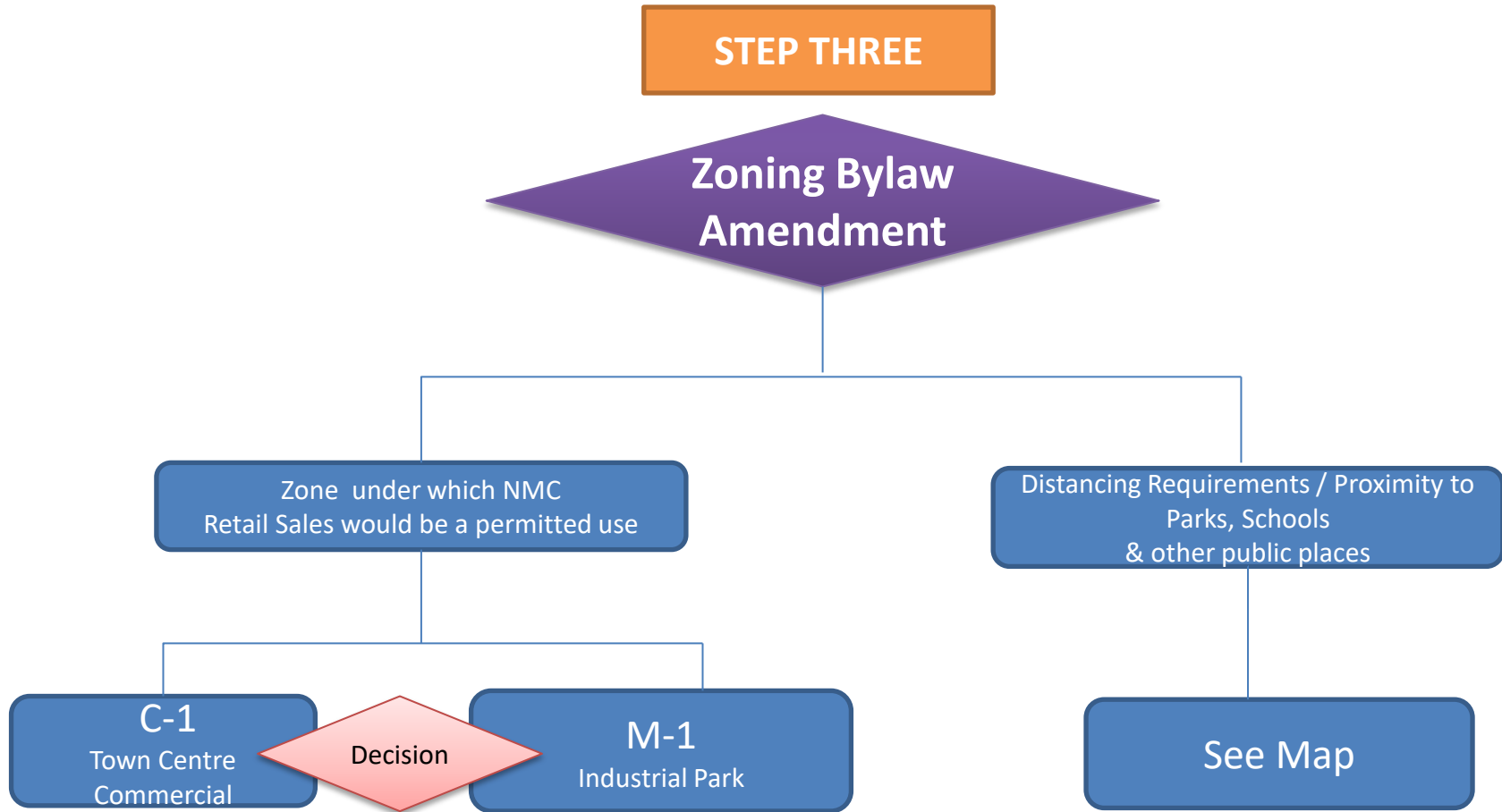
# Cannabis Act (Bill C-45)

## Decision Making Flow Chart



Policy Development to take place once *Cannabis Act* is passed. This will include public consultation with respect to Policy Development.

# Cannabis Act (Bill C-45) Decision Making Flow Chart



# *Cannabis Act (Bill C-45)*

## Decision Making Flow Chart

STEP FOUR

Business Licence  
Requirements

Meets Zoning  
Regulations

Security  
Requirements

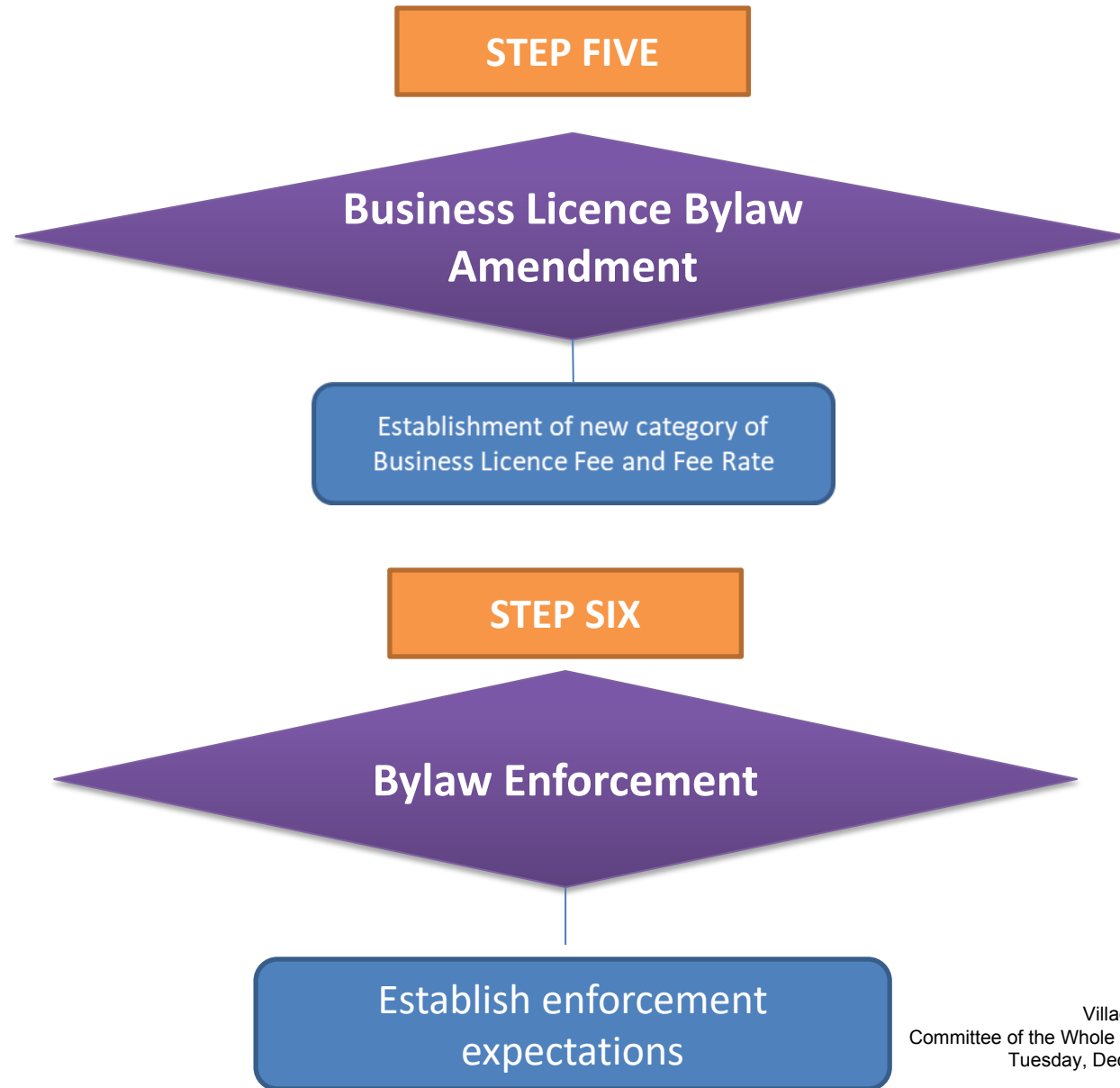
Proof of Provincial  
Licence Issuance

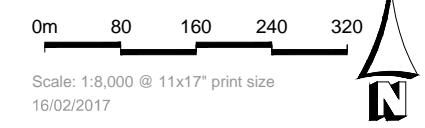
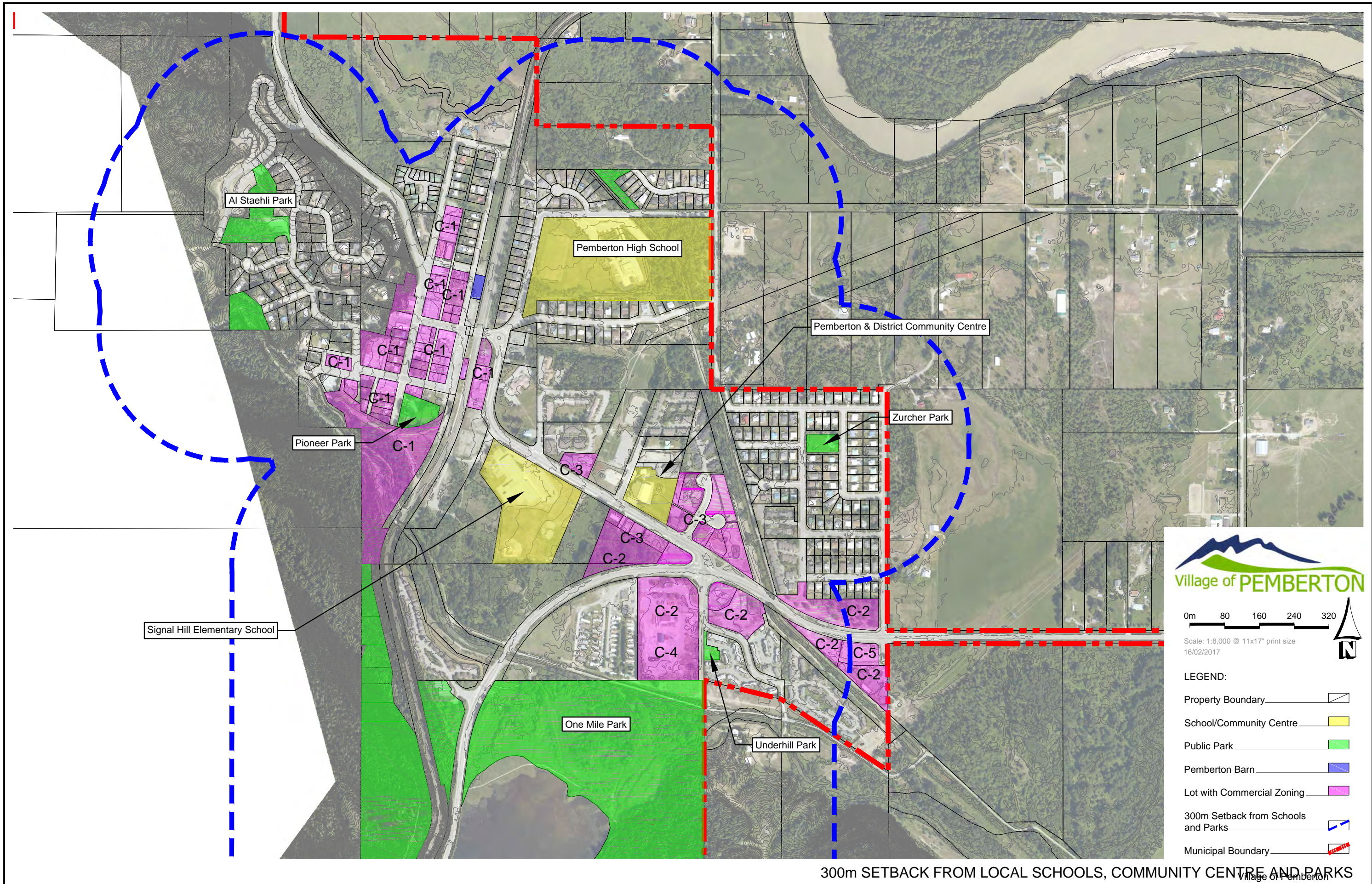
Proof of Completion of  
Provincial Employee  
Training Program

Other Agency  
Approvals as  
may be required

Hours of  
Operation  
(established  
by Policy)

# *Cannabis Act (Bill C-45)* Decision Making Flow Chart





LEGEND:

Property Boundary	
School/Community Centre	
Public Park	
Pemberton Barn	
Lot with Commercial Zoning	
300m Setback from Schools and Parks	
Municipal Boundary	

**300m SETBACK FROM LOCAL SCHOOLS, COMMUNITY CENTRE AND PARKS**



**Date:** September 4, 2018

**To:** Nikki Gilmore, Chief Administrative Officer

**From:** Lisa Pedrini, Senior Planner

**Subject:** Recreational Cannabis Retail Sales – Draft Policy

---

## **PURPOSE**

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

## **BACKGROUND**

The federal government has approved a bill to legalize non-medical (recreational) cannabis by October 17, 2018. *BILL C-45, Cannabis Act*, was introduced in the House of Commons on April 13, 2017, received Third Reading on November 27, 2017, passed the Senate vote on June 19, 2018 and received Royal Assent on June 21, 2018. This Bill provides 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.

In response, the Province of British Columbia passed BILL 30, *Cannabis Control and Licensing Act (CCLA)* to establish a legislative framework and a full regulatory framework. This framework establishes how the products will be sold to consumers, for example through private, licensed stores and government-run facilities across the province. Consumers in British Columbia will need to be of legal age (set at 19) and will also be able to purchase legal cannabis online. Strict regulations surrounding where the drug can be consumed are also included.

The federal *Cannabis Act* and provincial *Cannabis Control and Licensing Act* provide the framework for which local governments may further restrict non-medical (recreational) cannabis. 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 marijuana-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.

At the Committee of the Whole Meeting No. 172, held Tuesday, February 20, 2018, two memorandums from Lidstone & Company that summarized the Province's just released *BC Cannabis Private Retail Licencing Guide: Applications and Operations* were presented that provided an overview of what local governments should consider doing to be prepared for the legalization of recreational cannabis retail sales.

In this regard, the Committee of the Whole passed the following resolution:

*Moved/Seconded*

**THAT** Staff prepare a summary of the local government considerations presented in the Memorandum by Lidstone & Company, titled "Local Government 'To Do' List to Prepare for Cannabis Sales" for discussion at a future Committee of the Whole Meeting.

**CARRIED**

At the Committee of the Whole Meeting No. 174, held Tuesday March 20, 2018, Staff presented a flow chart to guide Council in its decision making with respect to the new legislation. There were a number of decision points that Council must consider, beginning with whether there was an interest in allowing retail sales of non-medical cannabis (NMC) within the Village's boundaries. It was determined that there was interest, and as a result, the Committee of the Whole passed the following resolution:

*Moved/Seconded*

**THAT** the Committee of the Whole recommends to Council that Staff be directed to undertake the development of Policy respecting the retail sales of non-medical cannabis (NMC) in anticipation of the Cannabis Act coming into effect.

**CARRIED**

*Moved/Seconded*

**THAT** Committee of the Whole recommend to Council that Staff be directed to investigate the Cannabis Licencing application process and report back at a future Committee of the Whole meeting.

**CARRIED**      **OPPOSED:** Councillor Ross, Councillor Helmer

As the sale of NMC is not yet legal and upon advice from the Village's Solicitors, the prohibition of retail sales continues to be in force in the new Zoning Bylaw No. 832, 2018, adopted on July 24, 2018.

With respect to the investigation of the licencing application process, Staff presented a flow chart at the Committee of the Whole held on July 24<sup>th</sup> and the Committee's recommendation to Council was supported by Council and the following resolution was passed at the Regular Council meeting held later that day:

*Moved/Seconded*

**THAT** Staff monitor other municipalities regarding pursuing a cannabis retail licence and bring back more information at the next Committee of the Whole meeting in September.

**CARRIED**

**OPPOSED:** Councillor Ross & Councillor Helmer

At this time, Staff has not been able to confirm if any other municipality is actively seeking to make application for a cannabis retail licence, but continues to monitor and will bring back information as it is available.

### **Policy Development**

The Village has prepared for the Committee of the Whole's consideration, a Draft Non-Medical (Recreational) Cannabis Retail Policy to establish criteria for cannabis retail sales in the Village of Pemberton and to guide decision making on provincially referred applications.

The proposed Policy is attached as **APPENDIX A** and rationale and detail on the Draft Policy is provided below.

### **Licensing Referrals and Notification**

The provincial Liquor and Cannabis Regulation Branch (LCRB) will be responsible for licensing NMC retail businesses. As such, they have established a cannabis retail licensing regime similar to the current licensing regime for liquor. Applications must be initiated with the LCRB, before being referred to the municipality involved. The local government's role in the licensing process is attached as **APPENDIX B**.

When an application is received, the LCRB will notify the local government where the proposed store will be located. Upon receiving notice, the local government 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 may be gathered using one or more of the following methods:
  - Receiving written comment in response to a public notice of the application,
  - Conducting a public hearing in respect to the application,
  - Holding a referendum, or
  - Using another method that local government considers appropriate.

It is up to the local government to determine the area, relative to the licensee's application, where the resident's views must be gathered.

It is Staff's recommendation to use the same notification process the Village utilizes to notify residents of a Development Variance Permit (DVP) Application to gather resident's views on NMC cannabis business license applications. For DVP applications, Staff prepares a written notice and mails or otherwise delivers that notice to affected residents within 100m of the property inviting property owners or tenants to either send in their comments by a certain date or attend the meeting where the decision will be made and make their comments be known to Council. This would be done for each and every application referred to the Village from the LCRB.

## Land Use and Zoning

Local Governments are able to impose restrictions in its Zoning Bylaw regarding the location of cannabis retail sales. Currently cannabis retail sales are prohibited in all Zones pursuant to Zoning Bylaw No. 832, 2018, Section 6.4 (vi.). There are several options available to the Village of Pemberton on how to legitimize the land use after October 17, 2018:

- a) **Amend the Zoning Bylaw:** The Village could decide which zones they would be amenable to allowing NMC retail sales and initiate an amendment to its Zoning Bylaw to remove the outright prohibition and add NMC retail sales as a permitted use in zones that the Village feels would be suitable. If this is the preferred option, Staff would propose that NMC retail sales be considered as a permitted use (subject to certain Conditions of Use – see below) in two (2) zones only: in the Town Centre Commercial (C-1) zoned area and the Industrial Park (M-1) zoned area. It is deemed preferable to have this use in the more densely built, populated and well-lit areas of the Village, in keeping with crime prevention through environmental design principles (CPEDP).

The Village does not recommend permitting recreational cannabis stores in other Commercial Zones or Comprehensive Development Zones given the close proximity of these zones to single family and multi-family residential neighbourhoods.

- b) **Require a Rezoning Application:** The Village could require applicants to submit a rezoning application based on the direction contained in the Village's Non-Medical (Recreational) Cannabis Retail Policy (once approved). The onus would be on the applicant to make an application to the Province, based on an available location for a business in Pemberton, and rationalize this choice through a rezoning application that would be considered on a site-specific basis.

This approach would ensure that the particular location would be vetted by the nearby residents and the community as a whole through the legislated rezoning process which would include a Public Hearing before the Village sends a positive recommendation to the Province. Even if a rezoning application is approved, the applicant would still be required to be authorized by the Province (see Licensing Regulations and Referrals below).

- c) **Temporary Use Permit:** The Village could entertain regulating NMC retail sales through a Temporary Use Permit. A Temporary Use permit allows a use of land, on a temporary basis, not otherwise permitted in the Village's Zoning Bylaw. They may be issued for a period up to three (3) years from the date the permit was approved by Council, and may be renewed once, for an additional period of up to three (3) years, subject to Council approval.

The advantage of this approach is that it allows Council to establish conditions under which the temporary use can occur such as site design and layout, and can require security deposits to ensure conditions are met. They would allow the Village to 'test' whether the NMC Retail use is compatible with surrounding land uses prior to considering a permanent rezoning application, and to ultimately terminate the use, if desired, at the expiry of the permit. The disadvantage is that the proponent has no security and may not be able to recoup start-up costs if the use is not permitted to continue.

Rather than predetermining suitable locations/zones in which NMC retail sales would be permitted, or allowing the use on a temporary basis, Staff recommends Option b) whereby applicants would be required to obtain a rezoning approval and the Village could assess the location through feedback received during the rezoning process. This option also ensures the costs associated with review and processing of the application are covered by the applicant, instead of by the Village/taxpayers.

If a rezoning application is successful, the Village is able to send a positive recommendation to the Province, and the applicant is able to move on the next step of securing a license from the LCRB.

### **Delegation of Authority**

A municipal council can delegate authority to their Staff to provide comments and recommendations to the LCRB when the Village receives a referral from the Province. Given that the Draft Policy is recommending that potential cannabis retail business operators must apply for a rezoning (which involves Council), Staff does not recommend that Council delegate the authority to review referrals from the LCRB to Staff at this time.

### **Conditions of Use**

Local Governments are able to impose further restrictions (conditions of use) in its Zoning Bylaw regarding the preferred location and operation of NMC retail businesses within a certain area as follows:

a) **Distance Requirements:** Many municipalities apply distance (separation) requirements due to potential impacts and influences on minors and other vulnerable populations. From the information that was available online, it appears that a typical distance imposed by municipalities in BC is between 100m to 300m. To ensure that recreational cannabis businesses are not located in close proximity to areas frequented by under-age populations in Pemberton, the Village is proposing a 100m distance requirement away from certain public uses such as:

- Schools
- Licensed Daycares
- Libraries
- Playgrounds, and Playing Fields
- Community Centres and Youth Centres
- Skate Parks, Bike Parks and any other locations frequented by minors

This distance requirement could also be increased to 150m, 200m or greater, and/or could also apply to Parks; however, this essentially removes the potential for a NMC retail business within the Town Centre (C-1 Zone) given the location and proximity of Pioneer Park and the Downtown Barn to C-1 zoned business locations.

Distance requirements also can apply to other retail cannabis businesses to potentially limit the number and concentration of cannabis-related businesses within a single area. From the information that was available online, it appears that a typical distance imposed by municipalities in BC between other cannabis sales is between 300m to 1,000m. Staff

is recommending a distance requirement of 800m between cannabis related businesses to minimize the total number of retailers within the Village boundaries. The buffer distance requirement would be measured from legal parcel boundaries.

The Policy will contain a map demonstrating the different recommended distance requirements. A rough draft of this map is attached to the Policy (**Appendix A**) as a placeholder. The map will be completed by the Village's new Planning and GIS Technician once in place.

#### **b) Operational Requirements**

Local governments have the power to regulate businesses by including terms and conditions in its business licencing bylaw, such as the hours a NMC retail business can operate or other conditions such as security measures.

The *Provincial Cannabis Control and Licensing Act* sets the operating hours for NMC retail businesses as 9:00am to 11:00pm. Local Governments are able to further restrict the operating hour's standard set by the *Provincial Act*. Staff recommends establishing additional restrictions for operating hours from 9:00am to 9:00pm. The majority of businesses in Pemberton which remain open after 6:00pm are typically closed by 9:00pm.

If the Village limits the operating hours of a NMC retail business to 9:00pm rather than 11:00pm, it serves to maintain the quiet small town character of the Village. Having the use to operate within 9:00am to 9:00pm provides opportunities for natural surveillance (eyes on the street) and crime prevention through environmental design principles.

Local governments are also able to require enhanced security measures. Based on a comparison of what other municipalities are considering, Staff suggests that the following security measures be required:

- i. Video Surveillance cameras that monitor all entrances and exits and the interior of the business premises shall be installed.
- ii. Video camera data collected shall be retained for at least 21 days after it is gathered.
- iii. A security and fire alarm system shall be installed and shall be monitored at all times. The security and fire alarm systems must be certified from the installer.
- iv. An appropriate air filtration and odour suppression system shall be installed and operational at all times.
- v. That a minimum of two (2) employees be onsite at all times.
- vi. Any other security measures as deemed appropriate upon review by the RCMP, Village Fire Department and Village Chief Building Official.

#### **Assessment Fee**

Local Governments are able to charge the applicant fees if choosing to asses an application. Because the Village is proposing to require applicants to apply for a rezoning application, the Village may not need to recoup any additional funds over and above the rezoning fees to assess the application. For this reason, Staff is not recommending that we charge a separate assessment fee.

## **Business Licence Fees and Requirements**

Staff recommends that an annual business licence fee of \$5,000 be applicable to NMC retail businesses, to reflect the extra staff time reviewing a cannabis retail business license will entail. From the information that was available on-line, it appears that annual business licence fees imposed by municipalities in BC for NMC retail sales typically ranges from \$1,000 to \$5,000 (the District of Squamish and City of Nelson both charge \$5,000). Some larger cities such as Vancouver and Saskatoon are charging \$30,000 and \$20,000 respectfully, while Calgary charges less than \$200.

It is also advised by Staff that before making a decision on issuance, the Village requires the applicant to provide:

- Proof of Provincial Licence Issuance
- Proof of completion of Employee Training Program
- Security Plan
- If Property is leased, Permission from the Landlord

It is also recommended that the number of licences that may be issued to one (1) person is one (1).

The Village will need to initiate an amendment to its Business Licence Bylaw to establish the following recommended fees and requirements with respect to Business Licence issuance.

## **Signage**

Local Governments are able to impose conditions such as specifications regarding signage for NMC retail businesses. The Village has a Draft Sign Bylaw underway and will include specific regulations with respect to signage related to NMC retail businesses. The Draft Sign Bylaw will be presented to the Committee of the Whole and the public in the near future. Signage specifications for NMC retail businesses will not be included in the proposed Non-Medical (Recreational) Cannabis Retail Policy at this time.

## **Consumption**

The provincial *Cannabis Control and Licencing Act* is guided by the following priorities: protecting children and youth, promoting health and safety, keeping the criminal element out of cannabis, keeping BC roads safe and supporting economic development. The Act:

- Sets 19 as the BC minimum age to purchase, sell or consume cannabis,
- Allows adults to possess up to 30 grams of cannabis in a public places,
- Prohibits cannabis smoking and vaping everywhere tobacco smoking and vaping are prohibited, as well as at playgrounds, sports fields, skate parks, and other places where children commonly gather,
- Prohibits the use of cannabis on school properties and in vehicles,

- Authorizes adults to grow up to four (4) cannabis plants per household as long as the plants are not visible from public spaces off the property and the home is not used as a daycare.

Local Governments are able to place further restrictions on where cannabis can be legally consumed. Staff advises that the consumption of cannabis be restricted in the same vein as tobacco within the Village's Smoking Regulations Bylaw.

In this regard, Staff is in the process of updating the Smoking Regulations Bylaw to align with new provincial legislation established in 2016 to include vaping, e-cigarettes and cannabis smoke. A new and updated Bylaw is in draft form and currently being reviewed by the Vancouver Coastal Health Tobacco Reduction Coordinator. It is anticipated that this Bylaw will be brought forward for Council's consideration in October.

### **Conclusion**

Once endorsed, the proposed Village of Pemberton Non-Medical (Recreational) Cannabis Retail Policy will be used to guide and inform Rezoning and Business Licensing applications for recreational cannabis sales within the Village of Pemberton boundaries. Despite the policy, it will be up to Council to decide if it supports a cannabis retail business application and its proposed location, when referrals are received from the Province.

Please note: the proposed Non-Medical (Recreational) Cannabis Retail Policy does not impact existing Village regulations on medical marijuana production facilities, which will continue to be permitted in the M-1 (Industrial) zone in the Zoning Bylaw. Furthermore, this Policy does not attempt to regulate home production of recreational cannabis, where a maximum of four (4) plants is permitted under federal regulations. Home production will be regulated and monitored by senior levels of government.

### **COMMUNICATIONS**

Staff is recommending that public consultation take place during September as a means of determining support for the Draft Non-Medical (Recreational) Cannabis Retail Policy. This will include written referrals to stakeholders such as the RCMP, Vancouver Coastal Health, Sea to Sky Community Services, the Lil'wat Nation, Squamish-Lillooet Regional District and Schools. As well, an online survey is proposed in order to give residents the opportunity to provide input and to ensure that the Policy reflects the desires of the community.

Notification of a public consultation period for the Draft Non-Medical (Recreational) Cannabis Retail Policy will be through the Village's various social media platforms such as Facebook, eNEWS and on the website.

Upon submission of a rezoning application, the proposal will be sent to referral agencies and the Advisory Land Use Commission as per the current practice, a Zoning Amendment Bylaw would be prepared and brought forward for first and second reading and a Public Hearing scheduled to receive comments from the public. As per the Development Procedures Bylaw No. 725, 2013, the estimated timeframe for a rezoning application is 5 – 8 months, depending on the complexity of the application, responsiveness of the Applicant and workload of Village Staff.



Notification of Public Hearings 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 cannabis in Canada will become legal once the federal *Cannabis Act* comes into effect (October 17, 2018). In the meantime, the Village has prohibited retail sales of medical and non-medical cannabis in the Zoning Bylaw and will only consider permitting the use on a site by site rezoning basis.

### **IMPACT ON BUDGET & STAFFING**

Development of policy, procedures and communication respecting NMC retail sales within the Village of Pemberton and the preparation of any future rezoning applications will be facilitated in-house and included on Staff's work plans.

There will be some costs associated with legal review but those costs are unknown at this time.

It is anticipated that enhanced bylaw enforcement may be required and as such, there will be budget implications with respect to the enforcement and administration of the Policy and zoning amendments. However, these costs have not been determined. This additional enforcement is not able to be met with current staffing levels.

The Village will need to establish to what extent resources will be put toward enforcement and to what extent enforcement will be taken.

### **INTERDEPARTMENTAL IMPACT & APPROVAL**

The development of policy, procedures and bylaws will involve the departments of Operations & Development Services and Corporate and Legislative Services. The Office of the CAO will facilitate the communications elements associated with policy review and adoption.

Finally, once the policy and the Business Licence Bylaw amendment are adopted, the Finance and Administrative Services Department will also be involved with the collection of said fees.

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

It is recommended that consultation take place with the Squamish-Lillooet Regional District and Lil'wat Nation to gauge impacts on the region and neighbouring jurisdictions

### **ALTERNATIVE OPTIONS**

There are no alternative options for consideration.

**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**

**THAT** the Committee of the Whole provide direction on the Draft Non-Medical (Recreational) Cannabis Retail Policy and direct Staff to seek public and stakeholder feedback on the Draft.

**Attachments:**

**APPENDIX A:** Draft Non-Medical (Recreational) Cannabis Retail Policy & Distance Requirement Mapping

**APPENDIX B:** Role of Local Government in Provincial Licensing

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

Committee of the Whole

# DRAFT 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, objectives, definitions, and policy related to licencing referrals and notification, land use and zoning, distancing requirements, and business licence applications.

## 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

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- 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 distance requirements from public spaces to minimize impacts and influences on minors and other vulnerable populations.
- To establish distance requirements from other cannabis related businesses to limit the number and concentration within a certain area.
- To indicate the process by which the Village will make decisions with respect to land use and zoning and how the views of nearby residents will be gathered.

## DEFINITIONS

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**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

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### 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. 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 made. This notification will be done for each and every application referred to the Village by the LCRB.
- The Village will require the Applicant to seek a rezoning application to permit the use at the given location. The rezoning process will follow the standard Village process and include referral to stakeholders, review by the Advisory Land Use Review Commission, notification to nearby residents within 100 m of the proposed location, bylaw readings and a Public Hearing.
- If the rezoning application is successful, the Village will send a positive recommendation to the LCRB, and the application will continue to be processed by the Province.
- If the rezoning application is not successful, the Village will not send a positive recommendation to the LCRB and the application will be halted.

## Land Use and Zoning

- The Village of Pemberton Zoning Bylaw No. 832, 2018 prohibits cannabis retail businesses in all zones.
- In order for a potential location within the Village of Pemberton to be assessed by the Village of Pemberton, an applicant must apply for an Official Community Plan (OCP) Amendment (if necessary) and Zoning Bylaw Amendment (rezoning).
- Costs, Approval Processes, Timelines, Signage and Application Requirements for an OCP/rezoning application are as per the Village of Pemberton Development Procedures Bylaw No. 725, 2013, as amended from time to time.
- The Village of Pemberton will not charge an additional assessment fee outside of its current applications fees (Schedule "A" of Bylaw No. 725, 2018).

## Distancing Requirements

- Preferred locations for non-medical cannabis retail businesses will be one hundred (100) 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
- Preferred locations for non-medical cannabis retail businesses will be eight hundred (800) meters from other non-medical (recreational) cannabis retail businesses.

- A map showing the distancing requirements is attached as **Appendix B**.

## Operational Requirements

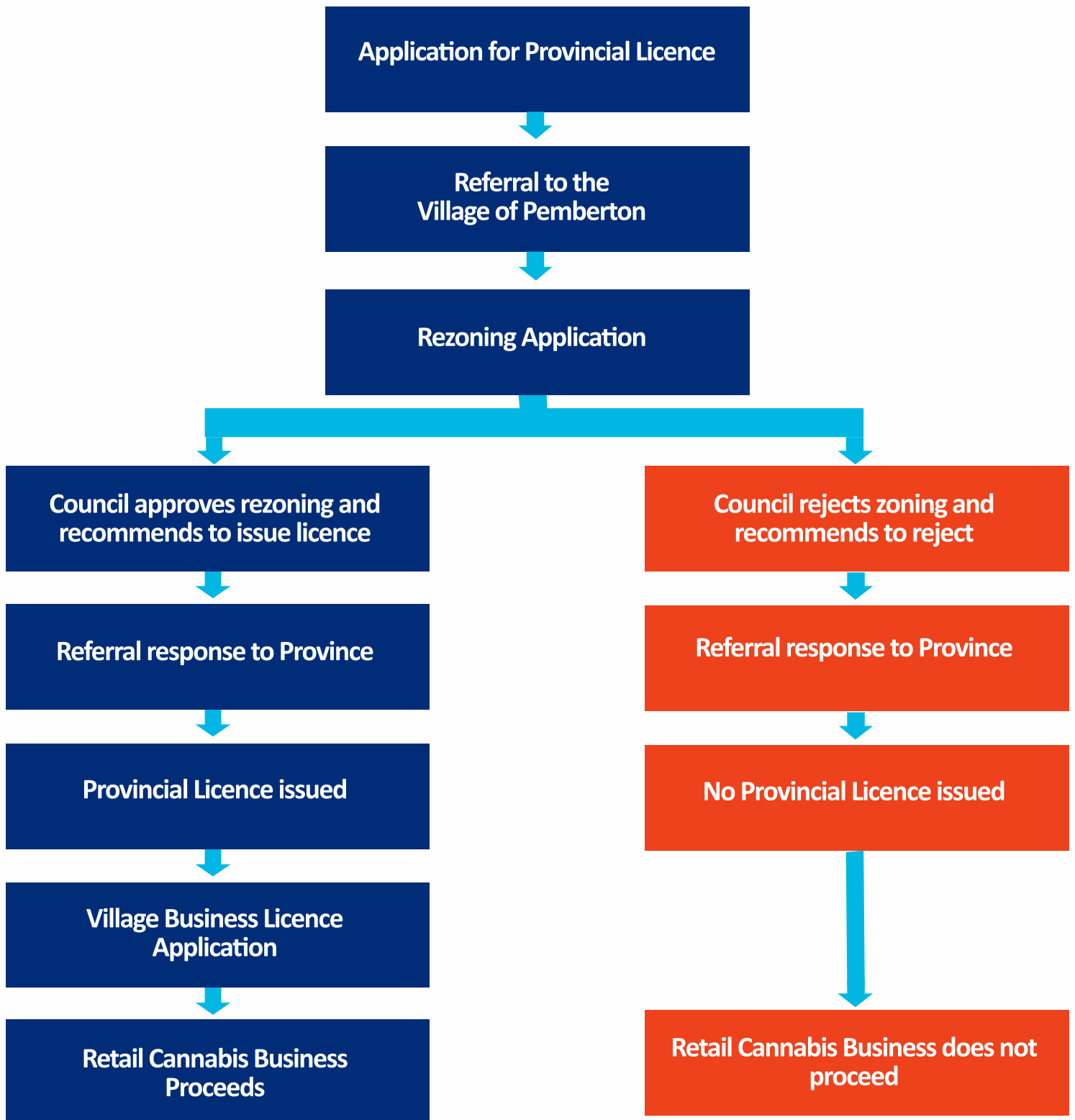
- No non-medical (recreational) cannabis retail business may operate between the hours of 9:00pm and 9:00am.
- A non-medical (recreational) cannabis retail business must install the following security/safety measures:
  - Video surveillance cameras that monitor all entrances and exits and the interior 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 is 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 and Rescue and the Village Chief Building Official.

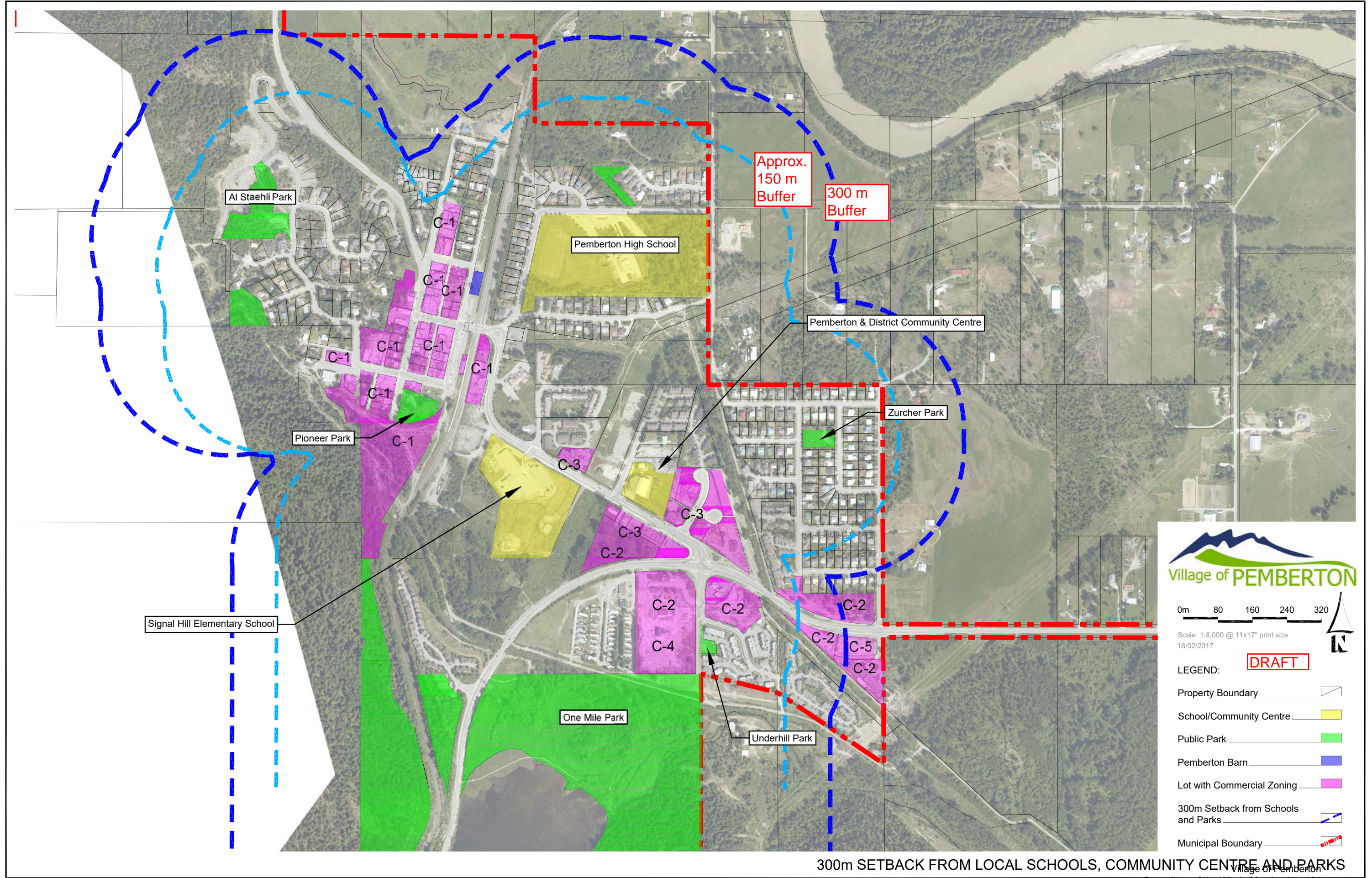
## Business Licence Fee and Requirements

- 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 \$5,000. 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 from time to time.
- Applicants must provide but is not limited to 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 from time to time.





0m 80 160 240 320  
 Scale: 1:8,000 @ 11x17" print size  
 16/02/2017

- LEGEND:** DRAFT
- Property Boundary
  - School/Community Centre
  - Public Park
  - Pemberton Barn
  - Lot with Commercial Zoning
  - 300m Setback from Schools and Parks
  - Municipal Boundary

**300m SETBACK FROM LOCAL SCHOOLS, COMMUNITY CENTRE AND PARKS**





## **Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores**

If you have any questions about this document, please contact the Liquor and Cannabis Regulation Branch toll-free at 1-866 209-2111, or email [cannabisregs@gov.bc.ca](mailto:cannabisregs@gov.bc.ca). NOTE: This document will be updated from time to time as additional information surrounding the regulatory framework for cannabis retail sales becomes available.

### **Branch name change**

The Liquor Control and Licensing Branch has been renamed to the Liquor and Cannabis Regulation Branch (LCRB) to represent its new additional responsibility of licensing and monitoring the retail sale of non-medical cannabis in British Columbia.

### **Non-medical cannabis retail licence**

The province will be issuing licences for non-medical cannabis retail stores. A cannabis retail store must be a standalone business. This licence requires input and a positive recommendation from a local government in whose area the proposed store is located.

The province recognizes the importance of ensuring carefully regulated access to non-medical cannabis in all areas of the province, including rural areas.

As a first step, the province will open opportunities to apply for regular retail licences. Once the regional distribution of retail non-medical cannabis stores is known, the province will consider issuing licences to service rural or remote areas that are not sufficiently served by existing retail cannabis stores.

### **The role of local governments in the cannabis retail store licensing process**

Applicants for a non-medical cannabis retail store licence must submit a licence application to the LCRB. When an application is received, the LCRB will notify the local government of the area where the proposed store will be located.

Upon receipt of notice, local governments can:

- choose not to make any recommendation in respect of the application for a cannabis retail store licence (Note: this would end a licence application in progress because the LCRB cannot issue a licence unless the local government gives the LCRB a positive recommendation that the licence be issue)
- choose to make comments and recommendations in respect of an application for a cannabis retail store licence. Note that:
  - if the local government chooses to make a comments and recommendation on the licensee's application to the LCRB, it must gather the views of residents

- if it makes a recommendation to deny the application then the LCRB may not issue the licence
- if it makes a recommendation in favour of the application, then the LCRB has discretion whether or not to issue the licence, but must consider the local government's recommendation.

Local Governments (municipalities, regional districts or Islands Trust local trust committees) have some or all of the following regulatory powers in respect of cannabis retail store licences:

- Impose restrictions in its zoning bylaws regarding the location of cannabis retail stores
- Regulation of business (municipalities only): by terms and conditions in its business licensing bylaw, a municipality may limit the hours that cannabis retail stores can operate or impose other conditions such specifications regarding signage
- Charge the applicant fees if choosing to assess an application.

The above process applies to all relocations of existing cannabis retail stores.

## **Gathering residents' views**

If the local government decides to consider the notice of application and to provide comments and recommendations as to the location of the proposed retail store, it must gather the views of residents of the area if the location of the proposed store may affect nearby residents. It may gather resident's views by using one or more of the following methods:

- Receiving written comment in response to a public notice of the application
- Conducting a public hearing in respect of the application
- Holding a referendum, or
- Using another method the local government considers appropriate.

It is up to the local government to determine the area, relative to the licensee's application, where resident's views must be gathered.

Please note: Gathering the views of residents of the area/providing a recommendation to the LCRB must be unique to each provincial licence application. In other words, past recommendations cannot be used in a new licensing process. Each individual application must be considered separately by the local government.

## **What must the local government's recommendation include?**

The recommendations and comments the local government provides to the LCRB must:

- be in writing (this may or may not be in the form of a resolution)
- show that the local government has considered the location of the proposed store
- include the views of the local government on the general impact on the community if the application is approved
- include the views of residents if the local government has gathered residents' views, and a description of how they were gathered
- include the local government's recommendation as to whether the application should be approved or rejected and provide the reasons upon which the recommendation is based.

The local government should also provide any supporting documents referenced in their comments.

## **What if the local government does not want to provide a recommendation?**

If a local government does not want to accept the notice of application and provide a recommendation for the proposed retail location, they should notify the LCRB. A licence for a cannabis retail store will not be issued without a positive recommendation from a local government. If a response is not received, LCRB will not consider the application any further.

## **What if the recommendation does not meet the regulatory requirements?**

If the recommendation does not meet the regulatory requirements, the LCRB will ask the local government to provide new or amended comments that address outstanding issues.

## **How long does the local government have to provide comments?**

Unlike in the process for liquor licensing, local governments are not required to provide a recommendation on a cannabis retail store application within a specific time period. Please note that delays in the application process can have a significant impact on the applicant. If the applicant is the reason for the delay, please notify the LCRB. If the applicant is not trying to move an application forward, the application can be cancelled.

## **Can the local government recommend approval subject to certain conditions?**

In some circumstances, the local government can recommend that the LCRB approve the application as long as certain restrictions (e.g. hours of operation) are placed on the licence. In these situations, the recommendation should clearly explain the rationale for placing restrictions.

If the local government intends to request that the LCRB impose terms and conditions on a licence, prior to sending such a recommendation the local government should consult with the LCRB so that the LCRB can determine whether it has the authority to impose the requested terms and conditions before finalizing their conditional recommendation.

The local government may also have the ability to impose other operating rules on the proposed store through the terms and conditions of the applicant's business licence, zoning or bylaw. The local government is responsible for enforcing these rules.

## **Floor Plans**

Applicants must submit a floor plan with their licence application for approval so the LCRB can identify store features such as sales, storage and delivery areas. Unlike for some kinds of liquor licence applications, local governments are not required to provide occupant load stamps or approve the applicant's floor plans as part of the provincial licensing process for cannabis retail stores.

## **A municipal council or regional district board can delegate authority to their staff to provide comments and a recommendation to the LCRB**

A municipal council or regional district board may delegate its powers and duties to provide comments and a recommendation to the LCRB regarding a cannabis retail store licence application. If a council or board has delegated this authority, a cannabis retail store applicant may ask for comments and recommendations made by delegated staff to be reconsidered by the local government.

### **Council as defined in the Vancouver Charter:**

A Council, as defined in the *Vancouver Charter*, choosing to delegate to its staff must establish procedures for a reconsideration of comments and recommendations made by delegated staff, including how a cannabis retail store applicant may apply for reconsideration. In undertaking a reconsideration, the Council will have the same authority as it delegated to staff.

### **Right of reconsideration:**

Delegated local government staff must advise the cannabis retail store licence applicant that the applicant has the right of reconsideration of the staff's recommendation by the council or board.

### **How local governments inform the LCRB of delegation:**

A local government that has delegated authority to staff should send a copy of the delegation to the LCRB at [cannabisregs@gov.bc.ca](mailto:cannabisregs@gov.bc.ca).

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

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## **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.

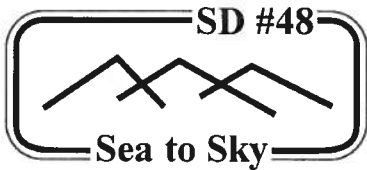
We would like to encourage the Village of Pemberton to consider increasing setback limits to 300 meters which would bring them into line with the current limits set in most other municipalities' current limits.

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.

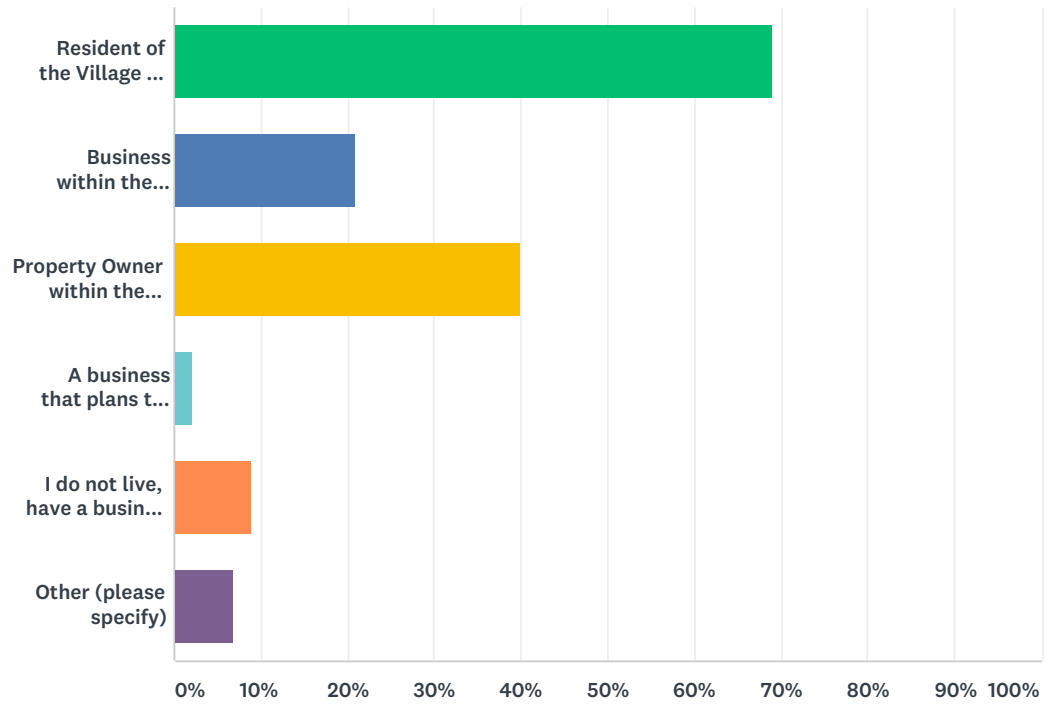
Sincerely,

Claire Daniels  
SLRD Planner



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

Answered: 100 Skipped: 0

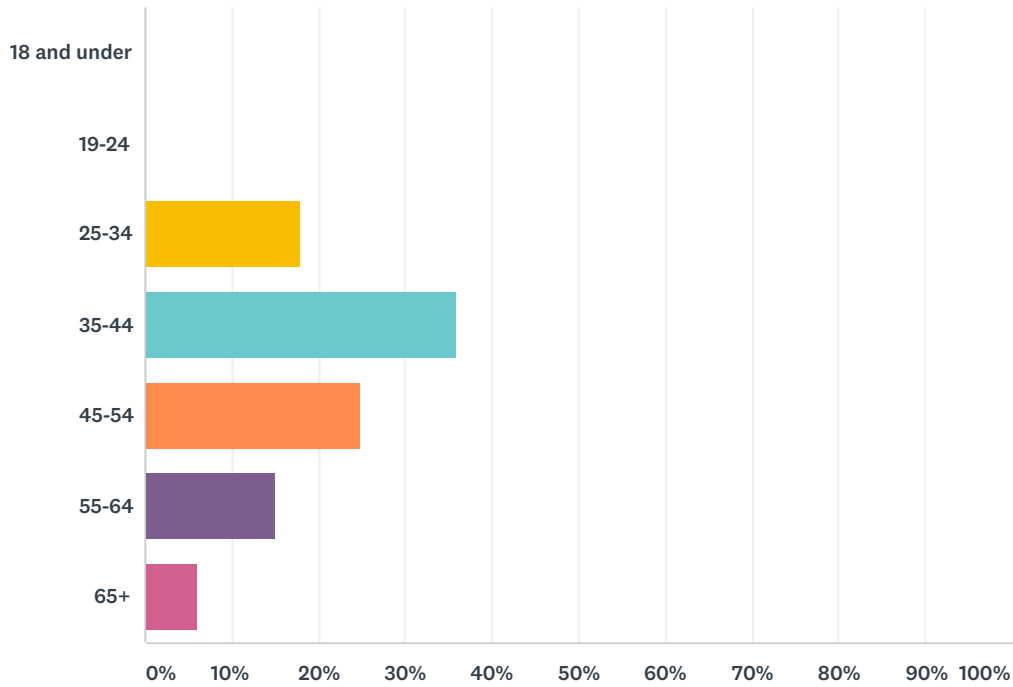


ANSWER CHOICES	RESPONSES
Resident of the Village of Pemberton	69.00% 69
Business within the Village of Pemberton	21.00% 21
Property Owner within the Village of Pemberton	40.00% 40
A business that plans to submit an application to the Province for a Non-Medical (Recreational) Cannabis Retail operation	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?

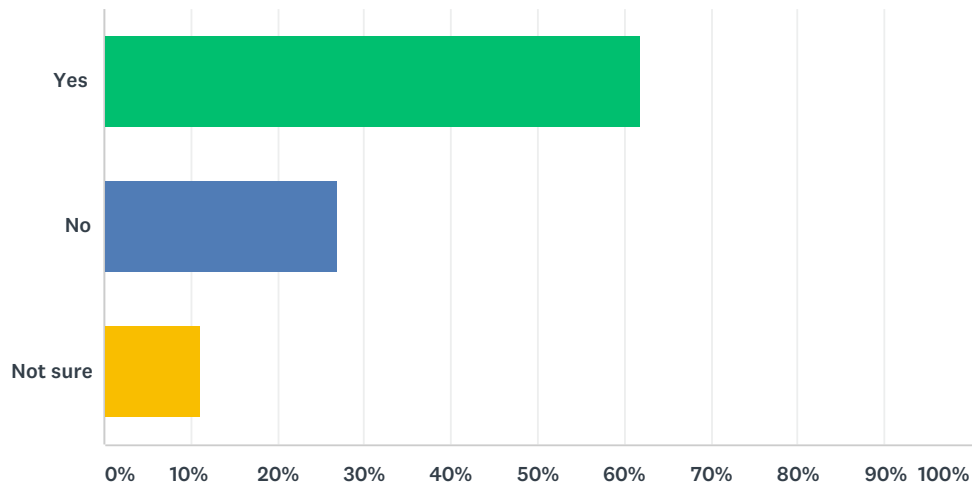
Answered: 100 Skipped: 0



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

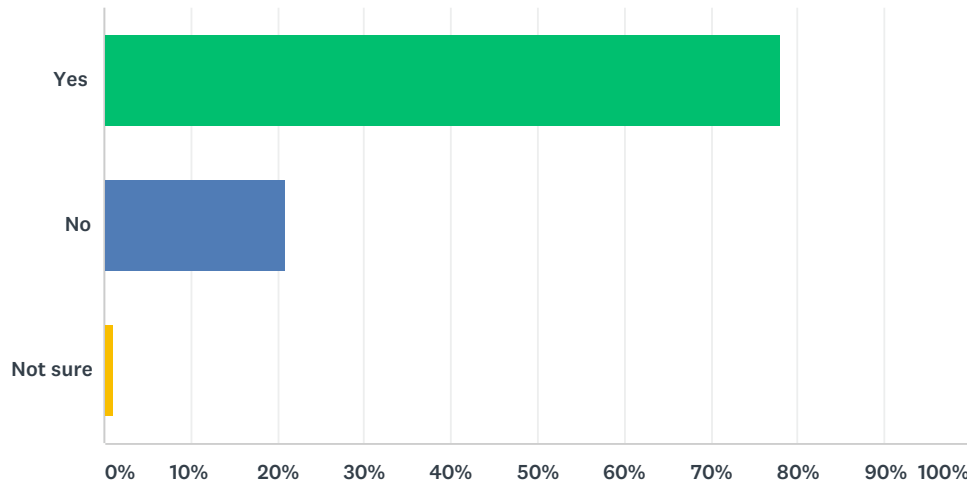
#	RESPONSES	DATE
1	cause why do it for pot and not anything else?	9/24/2018 12:31 PM
2	I think the Village should be notified being confined to the city centre, the same 100m people will be notified everything. Let everyone know.	9/24/2018 12:29 PM
3	is this the same process as an application to sell 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 their 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

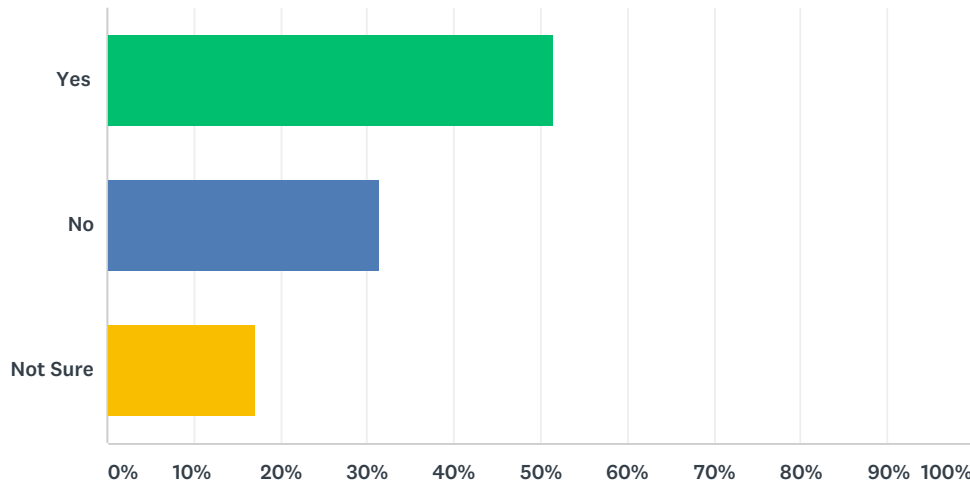
## DRAFT Non-Medical (Recreational) Cannabis Retail Policy | Community Questionnaire

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?

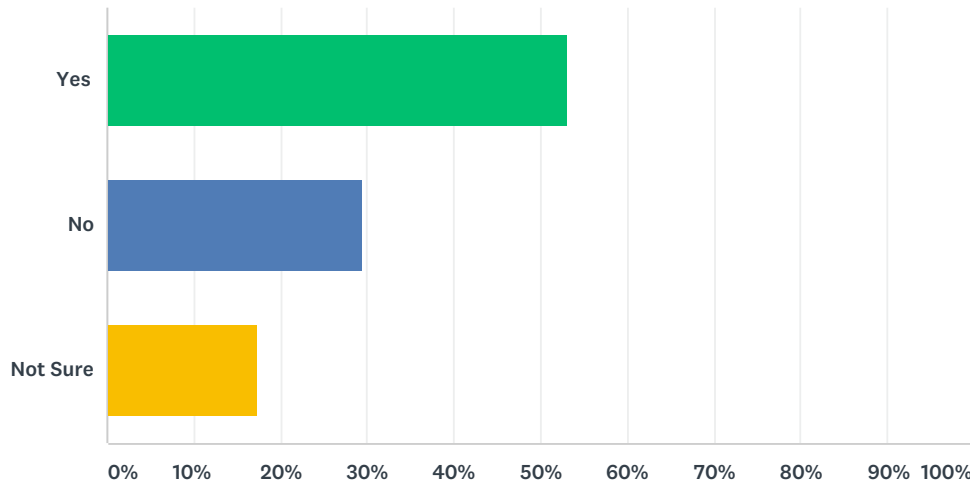
Answered: 99 Skipped: 1



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?

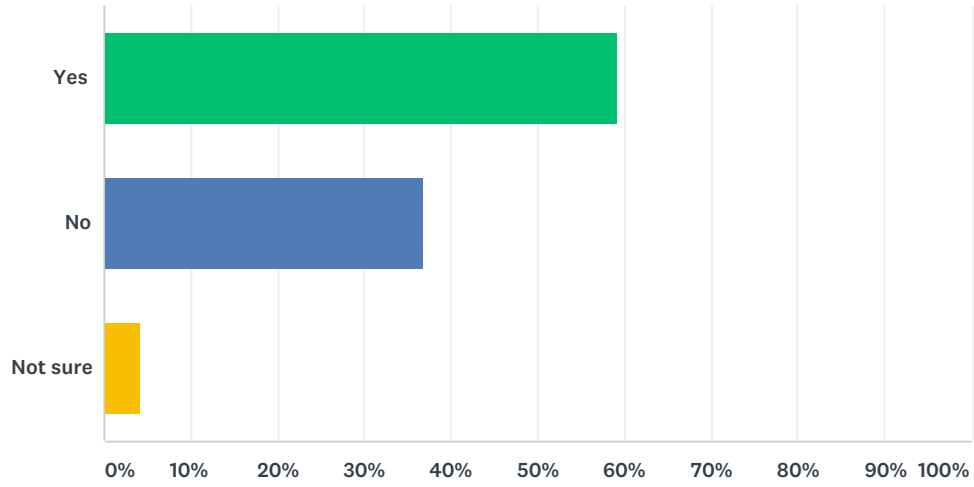
Answered: 98 Skipped: 2



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?

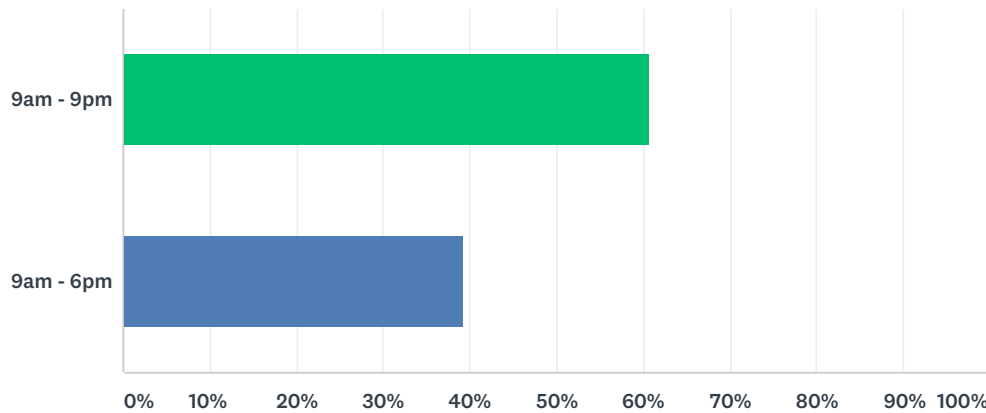
Answered: 98 Skipped: 2



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

## 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 Liquor	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

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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

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## 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

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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

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## 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 won't be able to get cheaper weed than they do now, they also won't 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

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- 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

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**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

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### Licensing 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.

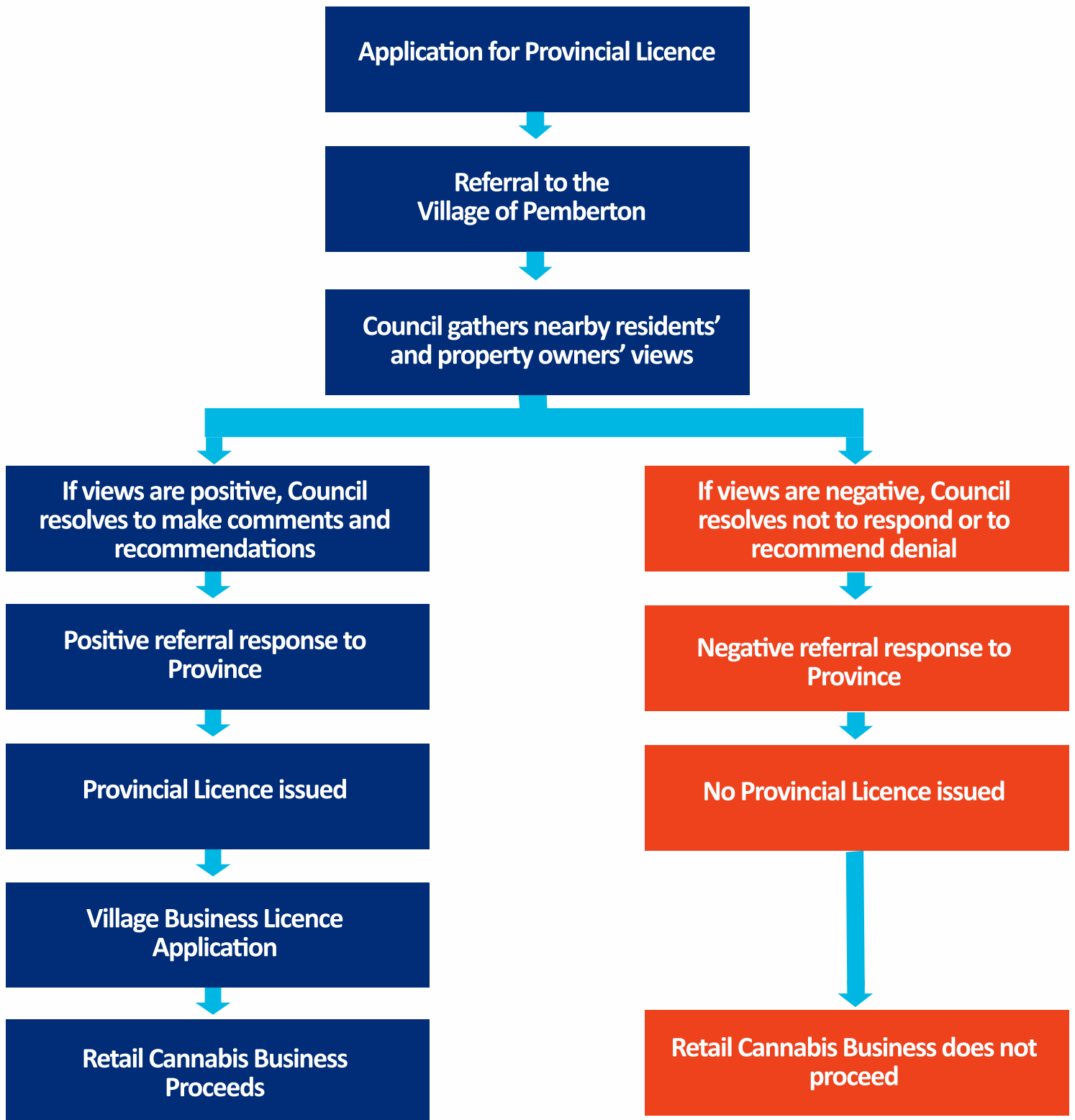
## Business Licence Fee and Requirements

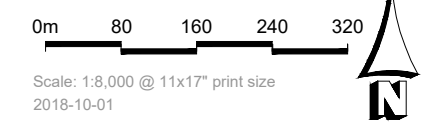
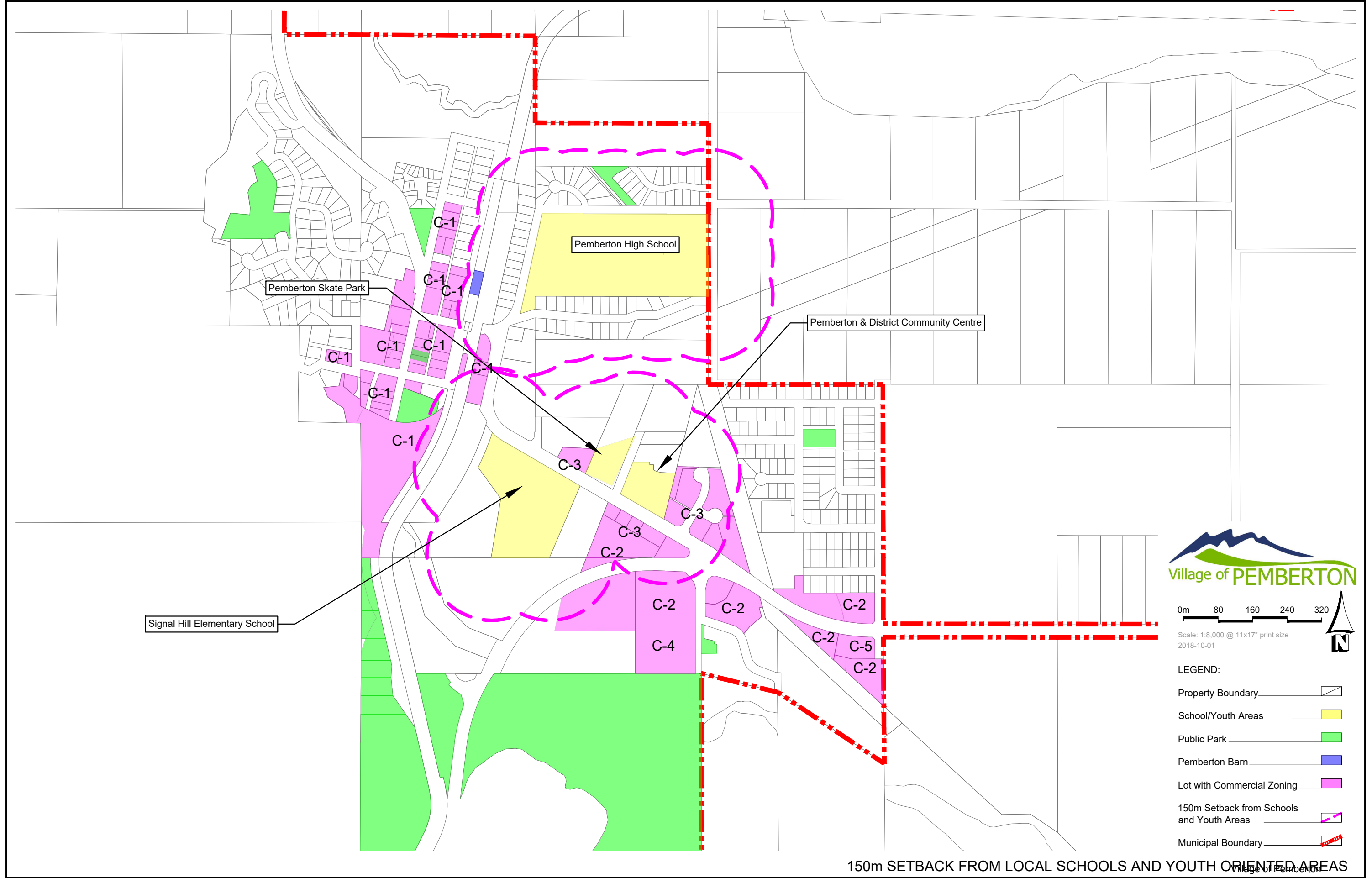
- A non-medical (recreational) cannabis retail business must obtain a Village of Pemberton Business Licence before operating their business.
- The annual fee for a Business Licence for a non-medical (recreational) cannabis retail business shall be established at a rate not less than \$1,500. Business 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

**Date:** October 16, 2018  
**To:** Nikki Gilmore, Chief Administrative Officer  
**From:** Lisa Pedrini, Senior Planner  
**Subject:** Zoning Amendment (Cannabis, Retail) Bylaw No. 847, 2018

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### **PURPOSE**

The purpose of this report is to present to Council for their consideration an amendment to Zoning Bylaw No. 832, 2018, Amendment (Cannabis, Retail) Bylaw No. 847, 2018 to clarify the Conditions of Use attached to permitting Retail Cannabis Sales establishments in the C-1 Zone.

### **BACKGROUND**

On October 2, 2018, at their Regular Meeting No. 1447, Council adopted a Policy to guide decision making on Non-Medical (Recreational) Cannabis Retail Sales use in the Village of Pemberton and gave First and Second Reading to Zoning Bylaw No. 832, 2018, Amendment Bylaw (Cannabis, Retail) No. 847, 2018. As such, the following resolutions were passed:

*Moved/Seconded*

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

**CARRIED**

**OPPOSED: Councillor Helmer**

*Moved/Seconded*

**THAT** Zoning Bylaw No. 832, 2018, Amendment (Cannabis, Retail) Bylaw No. 847, 2018 be given First and Second Reading as amended to adjust the setback noted in subsection 2 (b)(ii) from 100 metres to 150 metres;

**CARRIED**

*Moved/Seconded*

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

**CARRIED**

### **DISCUSSION/COMMENTS**

Zoning Amendment (Cannabis, Retail) Bylaw No. 847, 2018 defines the difference between *Cannabis, Retail*, and *Cannabis, Dispensary*, and amends the Zoning Bylaw to permit '*Cannabis Retail*' in the Town Centre Commercial (C-1) zone under the following Condition of Use:

*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.*

While the Non-Medical (Recreational) Cannabis Retail Policy establishes a maximum of two (2) Cannabis Retail businesses at any one time; Zoning Amendment Bylaw No. 847, 2018 at Second Reading does not currently specify this as a Condition of Use (**Appendix A**). In order to provide this needed clarity to the Zoning Bylaw, Staff proposes a small amendment to the Zoning Amendment Bylaw to specifically include a *Condition of Use* that the total number of Cannabis Retail businesses permitted at any one time not exceed two (2) (**Appendix B**).

This amendment should be considered following the close of the Public Hearing.

### **COMMUNICATIONS**

Notification of a Public Hearing for Zoning Amendment (Cannabis, Retail) Bylaw No. 847, 2018 was posted in the Pique Newsmagazine on Thursday, October 4, 2018 and Thursday, October 11, 2018. The notification requirements as established pursuant to section 466 of the *Local Government Act* have been met.

### **LEGAL CONSIDERATIONS**

Consideration of Zoning Amendments meets with the legislation as set out in the *Local Government Act*.

### **IMPACT ON BUDGET & STAFFING**

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 and advertising of the Public Hearing.

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

There are no impacts to the region or neighbouring jurisdictions.

### **OPTIONS FOR CONSIDERATION**

**Option 1 (recommended):** Support the amendment as presented by Staff and give the Bylaw Third and Fourth Reading, as amended.

**Option 2:** Do not support the amendment and give the Bylaw Third and Fourth 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 gives Third Reading to Zoning Bylaw No. 832, 2018, Amendment (Cannabis, Retail) Bylaw No. 847, 2018, as amended.

#### **Second Recommendation:**

**THAT** Council gives Fourth Reading to Zoning Bylaw No. 832, 2018, Amendment (Cannabis, Retail) Bylaw No. 847, 2018.

#### **Attachments:**

**Appendix A:** Zoning Amendment (Cannabis, Retail) Bylaw No. 847, 2018 at Second Reading

**Appendix B:** Zoning Amendment (Cannabis, Retail) Bylaw No. 847, 2018 for Public Hearing, as Amended

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

**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**

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**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.”

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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**:

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

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

**ADOPTED** this day of, 2018.

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Mayor  
Mike Richman

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Corporate Officer  
Sheena Fraser

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

(b) Not more than two (2) Cannabis, Retail uses will be permitted at any one time.

**READ A FIRST TIME** this 2nd day of October, 2018.

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**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 4th day of October, 2018 and on this 11th day of October, 2018.

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

**ADOPTED** this      day of      , 2018.

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Mayor  
Mike Richman

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

# VILLAGE OF PEMBERTON

## BYLAW No. 847, 2018

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**PUBLIC HEARING HELD** this 16th day of October, 2018.

**READ A THIRD TIME** this 16th day of October, 2018.

**ADOPTED** this 16th day of October, 2018.

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Mayor  
Mike Richman

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Corporate Officer  
Sheena Fraser