

CANNABIS POLICY DEVELOPMENT - APRIL 2020 BACKGROUND

Governmental Roles - Federal, Provincial and Municipal

Each level of government plays a different role in the legal production, distribution, sale and possession of cannabis.

The Government of Canada controls the production, distribution, sale and possession of cannabis across Canada via the Cannabis Act.

The Province of BC sets key regulations around cannabis, such as

- the minimum age to purchase, sell, or consume cannabis (19 years);
- how much cannabis adults may possess in a public place (30 grams); and
- where cannabis smoking and vaping are prohibited (everywhere tobacco smoking and vaping are prohibited, as well as at common places children gather.)

The Liquor and Cannabis Regulation Branch (LCRB), license and monitor the retail sale of non-medical cannabis in BC.

The Town of Gibsons responds to federal and provincial cannabis production, distribution, and sale referrals.

It plays a major role in licensing non-medical cannabis retail stores and production facilities.

It determines appropriate locations for these businesses within the boundaries of the Town and implements the application procedure under which proposals for new cannabis stores are to be submitted, assessed and approved to operate within the Town.

It can also set restrictions on the number of cannabis retail stores and production facilities that may operate within in the Town, as well as the size of the facilities.

Form and character bylaws may be used to dictate the external appearance of the facilities.

Additionally, the LCRB will not issue a retail license unless the Town provides a positive recommendation that the license be issued.



Status of Cannabis Retailers in the Town of Gibsons

On October 18, 2018, Council adopted an amendment to the Town's zoning bylaws which prohibits cannabis stores in all zones. Instead, cannabis retailers are required to apply for a Temporary Use Permit (TUP) which gives them permission to operate a cannabis retail store for a limited time period.

Adopting this approach grants retailers time to apply to the Province of BC for a cannabis retail license, while providing Gibsons' staff and Council with the time required to develop a formal cannabis policy for the Town.

Currently, Coastal Bay Cannabis (442 Marine Drive) is the only cannabis retailer in Gibsons that has the legal right to operate. The owners were granted a three-year temporary use permit (TUP) by Gibsons' Council in February 2019 and were granted a cannabis retail license by the Province of BC in August 2019.

On March 3, 2020, Council approved a second three-year TUP for Coastal Bay Cannabis, allowing the cannabis retailer to operate a second location at the corner of Pratt Road and Sunshine Coast Highway.

In February 2019, S&M Medicinal Sweet Shoppe was granted a one-year temporary use permit by Council. That permit has now expired.

Status of Cannabis Production Facilities in the Town of Gibsons

Currently, the Town's bylaws are silent on cannabis production facilities. Therefore, Council has postponed all decision-making re) cannabis production facilities until after the Cannabis Policy is finalized.

Development of the Town's Cannabis Policy

In fall 2019, the Town retained Impact Resolutions (IR) to consult with multiple cannabis industry stakeholders on the status of the cannabis industry in Gibsons.

These stakeholders included local retailers and producers, as well as organizations such as School District #46, the RCMP, the Gibsons and District Chamber of Commerce, Sunshine Coast Tourism, Vancouver Coastal Health, the BC Liquor Distribution Branch, and the Sunshine Coast Regional Economic Development Organization (SCREDO).



Development of the Town's Cannabis Policy cont'd.

On December 17, 2019, IR presented its findings in a report to Council.

Among IR's key findings was a general consensus among stakeholders that the current, uncertain "grey area" surrounding cannabis legalization and the transitory nature of the Temporary Use Permits is undesirable.

To reduce local market uncertainty, it was recommended that the Town establish a formal cannabis policy that clearly defines a) locational criteria and b) an application process for cannabis-based businesses.

Subsequently, Council voted to forward a draft Cannabis Policy to the Gibsons and District Volunteer Fire Department, Vancouver Coastal Health, School District 46, RCMP, Gibsons and District Chamber of Commerce, and SCREDO.

Council also directed staff to proceed with public consultation on the draft Cannabis Policy and then report back to the Planning and Development Committee on their findings.

The cannabis survey represents a key component of that public consultation.

