



# STAFF REPORT

**TO:** Planning and Development Committee **MEETING DATE:** June 24, 2020  
**FROM:** Katie Thomas **FILE NO:** 3220-Venture-1037  
Planner 1  
**SUBJECT:** Zoning Amendment for a Cannabis Production Facility at 1037 Venture Way

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## RECOMMENDATIONS

**THAT** the report titled Zoning Amendment for a Cannabis Production Facility at 1037 Venture Way be received;

**AND THAT** *Zoning Amendment Bylaw No. 1065-57, 2020* for a Cannabis Production Facility at 1037 Venture Way be forwarded to Council for first and second readings;

**AND THAT** a Public Hearing for *Zoning Amendment Bylaw No. 1065-57, 2020* for 1037 Venture Way be scheduled to begin at 5:30 pm on July 14, 2020, and be held electronically as authorized under Ministerial Order M139/2020 and in accordance with Section 465(3) of the Local Government Act;

**AND FURTHER THAT** the recommendations be forwarded to the next Council meeting for adoption to allow for the notification of the Public Hearing to take place within the legislated timeframe.

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## BACKGROUND / PURPOSE

The Town of Gibsons received an application for a Zoning Amendment for the property at 1037 Venture Way, to allow for a Cannabis Production Facility on the property. The application was brought forward to the Planning and Development Committee on April 7, staff report enclosed at Attachment A. Council passed the following resolution at the April 21 Council meeting:

### **R2020-193 Zoning Amendment for a Cannabis Production Facility**

MOVED by Councillor Croal  
SECONDED by Councillor Lumley

THAT Zoning Amendment Bylaw No. 1065-57, 2020 for a Cannabis Production Facility at 1037 Venture Way be deferred until the Cannabis Policy is adopted.

**CARRIED**

The Cannabis Policy was adopted on June 16. The purpose of this staff report is to provide Council with an updated review of the application in regards to the new Cannabis Policy and to move forward with next steps for rezoning the property.

**SUMMARY**

- Zoning Bylaw Amendment to amend the use to allow for a Cannabis Production Facility on the site;
- Property at 1037 Venture Way is zoned Light Industrial 1 (I-1) – zoning would remain the same, with the addition of a site specific use for a Cannabis Production Facility at 1037 Venture Way.
- Council deferred consideration of the application on April 21, 2020, to await the adoption of the Cannabis Policy.
- The Cannabis Policy was adopted on June 16, 2020 with the revision to allow a maximum of 4 cannabis production facilities in the Town of Gibsons. This is the first application.

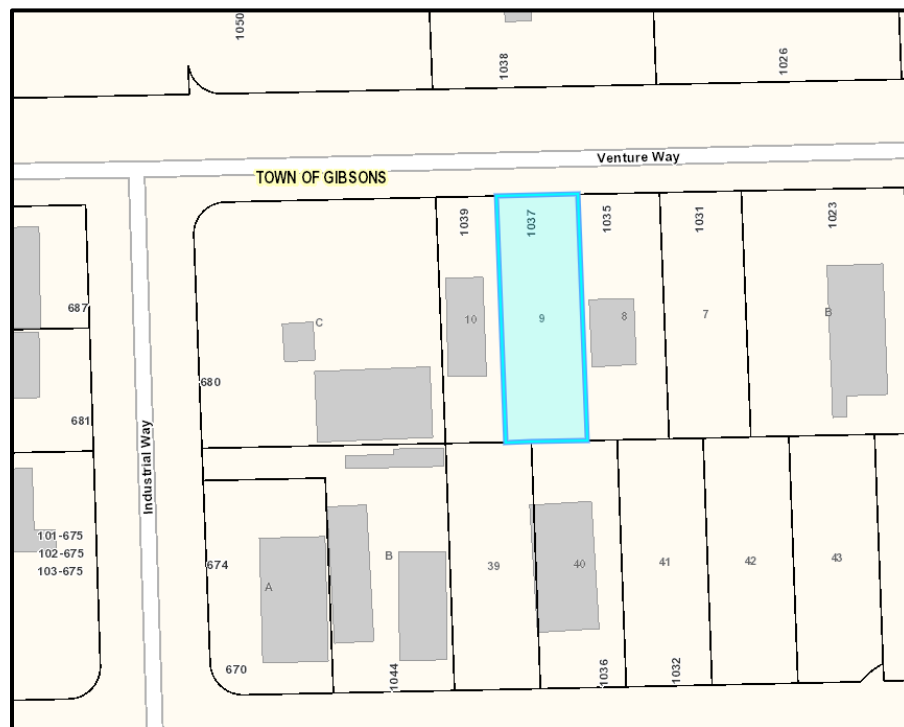


Figure 1: Location of Subject Property

## **DISCUSSION**

The subject property is located on Venture Way and currently houses five sea cans on the property, as shown in Figure 1. The subject property is zoned Light Industrial 1 (I-1). The intent of this zone is to allow for a limited range of light industrial and commercial uses within a building, unless specifically permitted to be outdoor.

The proposed Zoning Amendment looks to provide a site specific provision to allow for a commercial cannabis production facility with a new section added to the Light Industrial 1 Zone as follows:

### ***Site Specific Uses***

*In addition to the uses permitted in Sections 12.14 and 12.15, a Cannabis Production Facility is permitted on Lot 9, Blocks 1 to 4 District Lot 689 Plan 17211.*

Zoning Amendment Bylaw No. 1065-57, 2020 is enclosed as Attachment B. Staff recommends forwarding the bylaw to Council for consideration of first and second readings, then scheduling a Public Hearing for Tuesday July 14, 2020.

## **COMMUNICATION**

The application has been referred to the following agencies for comment. \*\* denotes comments received after the publication of the April 7 staff report:

- Vancouver Coastal Health – No comments on this type of application.
- Squamish Nation – no comments received
- \*\*Gibsons and District Volunteer Fire Department (GDVFD) – under review
- Sunshine Coast Regional District – No comments received
- \*\*School District 46 – The district reviewed the referral for a cannabis production facility, only comment would be in relation to signage, ensuring that it is appropriate and not seen to be attractive to minors.
- Ministry of Transportation and Infrastructure – Interests unaffected
- Town of Gibsons Infrastructure Services Department – No concerns regarding the Zoning Amendment. Existing BC Hydro service connection was constructed above ground without approval and is contrary to the Town's Subdivision and Development Bylaw and will need to be put underground for the new construction.

**POLICY / PLAN IMPLICATIONS**

**Cannabis Policy 3.17**

The Cannabis Policy was adopted on June 16<sup>th</sup>, 2020 and is enclosed as Attachment C. Staff assessed the application with the Policy’s locational criteria. Table 1 provided the staff review of the application.

<b>Locational Criteria</b>	<b>Staff Evaluation</b>
<p>Cannabis Production Facilities may only be located on properties assigned with the “Service Commercial / Business Centre” land use designations under the Smart Plan – Gibsons Official Community Plan (OCP), except for properties designated as agricultural land under the BC Agricultural Land Commission Act;</p>	<p>1037 Venture Way is designated Service Commercial/Business Centre under the OCP Land Use Designation.</p> <p><b>Adheres to this Criteria</b></p>
<p>Cannabis Production Facilities may not be located within a 150- metre distance of public Elementary and Secondary Schools (see Appendix B).</p>	<p>Staff have reviewed Appendix B – 150- metre Radius Separation Requirement from Gibsons Elementary School and Elphinstone Secondary School. 1037 Venture Way is outside the 150 metre radius of both schools.</p> <p><b>Adheres to this Criteria</b></p>
<p>Not more than four (4) Cannabis Production Facilities may be located in the Town of Gibsons.</p>	<p>This is the first zoning amendment application for a Cannabis Production Facility</p> <p><b>Adheres to this Criteria</b></p>

*Table 1: Assessing the Locational Criteria from the draft Cannabis Policy*

**NEXT STEPS**

Should Council wish to proceed with the Zoning Bylaw Amendment, a Public Hearing will be scheduled. Staff recommend scheduling this for 5:30pm on July 14, 2020 to coincide with the Public Hearings scheduled for Short-term Rentals and Secondary Suites.

If the Zoning Amendment is adopted, the applicant will then be required to apply for a Development Permit for form and character prior to construction.

The applicant is awaiting Council's decision on the Zoning Bylaw Amendment prior to retaining an architect as licensed Health Canada Cannabis Production Facilities have specific building regulations to adhere to.

**RECOMMENDATIONS / ALTERNATIVES**

Recommendations are listed on page 1 for this report.

**Attachments**

- Attachment A – Staff Report April 7, 2020.
- Attachment B – 1065-57, 2020
- Attachment C – Cannabis Policy

Respectfully Submitted,



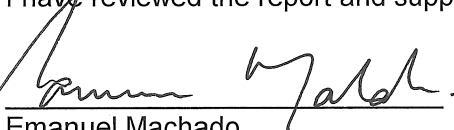
Katie Thomas  
Planner I



Lesley-Anne Staats, RPP, MCIP  
Director of Planning

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**

I have reviewed the report and support the recommendation(s).



Emanuel Machado  
Chief Administrative Officer



# STAFF REPORT

**TO:** Planning and Development Committee **MEETING DATE:** April 7, 2020  
**FROM:** Katie Thomas **FILE NO:** 3220-Venture-1037  
Planner 1  
**SUBJECT:** Zoning Amendment for a Cannabis Production Facility

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## RECOMMENDATIONS

**THAT** the report titled Zoning Amendment for a Cannabis Production Facility be received;

**AND THAT** *Zoning Amendment Bylaw No. 1065-57, 2020* be forwarded directly to the next Council meeting for first and second readings;

**AND FURTHER THAT** a Public Hearing for *Zoning Amendment Bylaw No. 1065-57, 2020* be scheduled to begin at 6:30 pm on May 5, 2020, in Town Hall Council Chambers, located at 474 South Fletcher Rd, Gibsons.

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## BACKGROUND / PURPOSE

The Town of Gibsons has received an application for a Zoning Amendment for the property at 1037 Venture Way, as shown in Figure 1, to allow for a Cannabis Production Facility on the property.



Figure1: Location of Subject Property

The purpose of this report is to review the application and obtain a recommendation from the Planning and Development Committee on next steps.

## DISCUSSION

### Site and Surrounding Uses

The subject property is located on Venture Way and currently houses five sea cans on the property, as shown in Figure 1. The subject property is designated Service Commercial/Business Centre in the Official Community which intends to encourage a mix of service commercial and service industrial activities, including distribution and warehouse uses, light industrial and manufacturing, automotive products and services, gas stations and large-site retail uses.

The subject property is zoned Light Industrial 1 (I-1). The intent of the Light Industrial zone is to allow for a limited range of light industrial and commercial uses within a building, unless specifically permitted to be outdoor.

Venture Way is the Town of Gibsons “industrial” area and is surrounded by properties with the same OCP Land Use and zoning designation as seen in Figure 2 and table 1.



Figure 2: Zoning of Subject Property

Table 1: Surrounding Uses

	Existing Land Use	Existing Zoning	OCP Designation
North	Boat Builder	Light Industrial (I-1)	Service Commercial/Business Centre
South	Countertop Manufacturer	Light Industrial (I-1)	Service Commercial/Business Centre
East	Bottle Depot	Light Industrial (I-1)	Service Commercial/Business Centre
West	Building with unknown use	Light Industrial (I-1)	Service Commercial/Business Centre

### Zoning Bylaw Amendment

On March 3, Council prohibited Cannabis Production in the Town of Gibsons under Section 3.7 (8) of the Zoning Bylaw:

The use of land, buildings, or structures for cannabis production is prohibited in all zones, except in the Agricultural Land Reserve or where specifically permitted.

The intent of this prohibition is that applicants wanting to operate a Cannabis Production Facility must undergo a site-specific Zoning Amendment or Temporary Use Permit to in order to operate in the Town of Gibsons.

The proposed Zoning Amendment looks to provide a site-specific provision to allow for a Cannabis Production Facility with a new section added to the Light Industrial 1 Zone as follows:

#### **Site Specific Uses**

*In addition to the uses permitted in Sections 12.14 and 12.15, a Cannabis Production Facility is permitted on Lot 9, Blocks 1 to 4 District Lot 689 Plan 17211.*

Zoning Amendment Bylaw No. 1065-57, 2020 is enclosed as Attachment A. Staff recommends forwarding the bylaw to Council for consideration of first and second readings, then scheduling a Public Hearing for Tuesday May 5, 2020.

### COMMUNICATION

The application has been referred to the following agencies for comments:

- Vancouver Coastal Health – *No comments on this type of application. Full comments enclosed as Attachment B*
- Squamish Nation – *no comments received*
- Gibsons and District Volunteer Fire Department (GDVFD) – *No comments received*
- Sunshine Coast Regional District – *No comments received*



- School District 46 – *No comments received at time of writing staff report*
- Ministry of Transportation and Infrastructure – *Interests unaffected*
- Town of Gibsons Infrastructure Services Department – *No concerns regarding the Zoning Amendment. Existing BC Hydro service connection was constructed above ground without approval and is contrary to the Town's Subdivision and Development Bylaw and will need to be put underground for the new construction.*

## **POLICY / PLAN IMPLICATIONS**

### **Financial Plan**

The current property hosts a number of sea cans. Should Council move the zoning amendment to allow a Cannabis Production Facility on the site forward, the applicant plans to construct a building. This will trigger Development Coast Charges and frontage works. BC Assessment deems the property as vacant currently, once a building has been constructed, the property taxes for the lot will increase.

### **2019-2022 Strategic Plan**

The 2019-2022 Strategic Plan looks to plan for sustainable growth. Within this objective, a priority includes the implementation of a Cannabis Policy to help direct Council, staff and the community on appropriate locations for Cannabis Retail Stores and Production Facilities. The Plan also looks to support local business and foster a diverse economy.

### **Draft Cannabis Retail/Production Facility Policy**

The Town of Gibsons has a draft Cannabis Retail/Production Facility Policy, enclosed as Attachment C. This draft Policy provides procedures for applications to be accepted, assessed and approved.

Staff used the draft policy procedures to assess if the application for a Cannabis Production Facility at 1037 Venture Way fits the locational criteria outlined, and to test the applicability of the Policy before it is adopted. Table 2 provides the staff review of the application.

<b>Locational Criteria</b>	<b>Staff Evaluation</b>
<p>Cannabis Production Facilities may only be located on properties assigned with the “Service Commercial / Business Centre” land use designations under the Smart Plan – Gibsons Official Community Plan (OCP), except for properties designated as agricultural land under the BC Agricultural Land Commission Act;</p>	<p>1037 Venture Way is designated Service Commercial/Business Centre under the OCP Land Use Designation.</p> <p><b>Adheres to this Criteria</b></p>
<p>Cannabis Production Facilities may not be located within a 150- metre distance of public Elementary and Secondary Schools (see Appendix B).</p>	<p>Staff have reviewed Appendix B – 150- metre Radius Separation Requirement from Gibsons Elementary School and Elphinstone Secondary School. 1037 Venture Way is outside the 150 metre radius of both schools.</p> <p><b>Adheres to this Criteria</b></p>
<p>Cannabis Production Facilities may not be located within 100 metres from each other, as measured from door to door.</p>	<p>This is the first Zoning Amendment for Cannabis Production Facility in the Town of Gibsons. At this time, Health Canada does not share information with the Town regarding licensed properties and therefore staff are unable to measure this correctly.</p> <p><b>Unable to measure</b></p>

*Table 2: Assessing the Locational Criteria from the draft Cannabis Policy*

Table 2 shows that while it is relatively simple to ensure that a property is outside the 150m radius of both schools in the Town, it is difficult to assess which properties, while not zoned for Cannabis Production Facilities, are currently operating under a Federal Production Licence or Personal Production Licence. Currently Health Canada Production License data is not shared with the Town.

**RECOMMENDATIONS / ALTERNATIVES**

Staff recommendations are listed on page one, alternatively Council can ask for changes.

**Attachments**

- Attachment A – Zoning Amendment Bylaw No. 1065-57, 2020
- Attachment B – Vancouver Coastal Health referral comments
- Attachment C - Draft Cannabis Retail/Production Facility Policy

Respectfully Submitted,



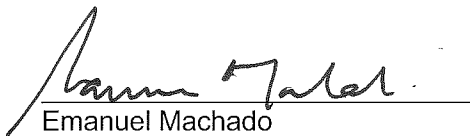
Katie Thomas  
Planner I



Lesley-Anne Staats, MCIP, RPP  
Director of Planning

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**

I have reviewed the report and support the recommendation(s).



Emanuel Machado  
Chief Administrative Officer

**TOWN OF GIBSONS**

**BYLAW NO. 1065-57, 2020**

A Bylaw to amend *Town of Gibsons Zoning Bylaw No. 1065, 2007*

**WHEREAS** the Council for the Town of Gibsons has adopted *Town of Gibsons Zoning Bylaw No. 1065, 2007*;

**AND WHEREAS** the Council deems it desirable to amend the Zoning Bylaw;

**NOW THEREFORE** the Council, in open meeting assembled, enacts as follows:

- 1) This Bylaw may be cited as the *Zoning Amendment Bylaw No. 1065-57, 2020*.
- 2) The *Town of Gibsons Zoning Bylaw No. 1065, 2007* is amended by:
  - a) Inserting a new Section, 12.16 Site Specific Uses, after Section 12.15, and renumbering the subsequent sections as follows:

**12.16 Site Specific Uses**

In addition to the uses permitted in Sections 12.14 and 12.15, a Cannabis Production Facility is permitted on Lot 9, Blocks 1 to 4, District Lot 689, Plan 17211 (Civic Address: 1037 Venture Way).

- b) Making such consequential alterations and annotations as are required to give effect to this amending bylaw, including renumbering of subsequent provisions of the Bylaw.

<b>READ</b> a first time the	##	day of MONTH,	202X
<b>READ</b> a second time the	##	day of MONTH,	202X
<b>PUBLIC HEARING</b> held the	##	day of MONTH,	202X
<b>READ</b> a third time the	##	day of MONTH,	202X
<b>ADOPTED</b> the	##	day of MONTH,	202X

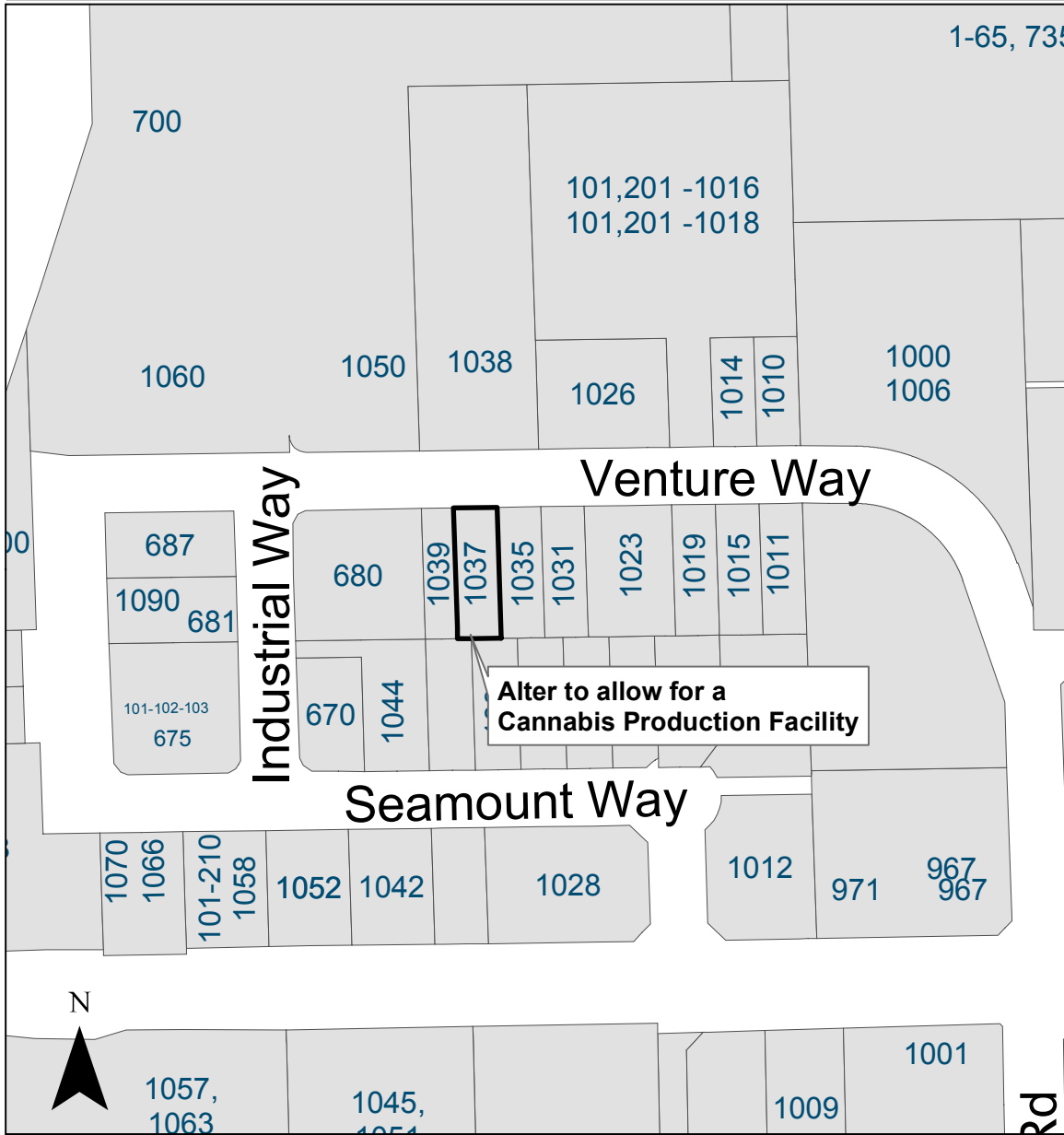
\_\_\_\_\_  
William Beamish, Mayor

\_\_\_\_\_  
Lindsey Grist, Corporate Officer



### Appendix A

### Zoning Amendment Bylaw No. 1065-57, 2020



Altering the zoning designation of Lot 9 Blocks 1 to 4 District Lot 689 Plan 17211 to allow for a Cannabis Production Facility



# Planning Department

474 South Fletcher Road | Box 340, Gibsons, BC V0N 1V0

Phone: 604-886-2274 | fax: 604-886-9735

[www.gibsons.ca](http://www.gibsons.ca)

## DEVELOPMENT APPLICATION REFERRAL FORM

Referral Date: February 26

Please review the attached development application and provide written comment on the back side of this form to Katie Thomas, Town of Gibsons Planning Department, no later than: March 26 2020.

### APPLICATION TYPE

- Development Permit (Permit No. \_\_\_\_\_)
- Development Variance Permit (Permit No. \_\_\_\_\_)
- Temporary Use Permit (Permit No. \_\_\_\_\_)
- Sign Development Permit (Permit No. \_\_\_\_\_)
- Agricultural Land Reserve Exclusion (Application No. \_\_\_\_\_)
- Official Community Plan Amendment (Application No. \_\_\_\_\_)
- Zoning Amendment Application (Application No. ZA-2020-02)

### REFERRED TO

- Ministry of Transportation & Infrastructure
- School District 46
- Sunshine Coast Regional District
- Agricultural Land Commission
- Royal Canadian Mounted Police
- Vancouver Coast Health
- Skwxwú7mesh Úxwumixw
- \_\_\_\_\_
- TOG Infrastructure Services Department
- TOG Approving Officer
- TOG Public Works Department
- TOG Building Department
- TOG Parks Department
- TOG Finance Department
- TOG Administrative Services
- Gibsons & District Volunteer Fire Department

### DESCRIPTION OF PROPERTY

Legal Description

Other Description

Street Address 1037 Venture Way

Folio Number 947.747

Parcel Identifier (PID) 007-306-091

### DESCRIPTION OF PROPOSAL

The property is currently vacant, with a number of sea cans at the rear of the property. The applicant would like to rezone the property to allow for a Cannabis Production Facility on the site of 1037 Venture Way. The zoning for the property is Light Industrial 1 (I-1), the zoning would remain the same, however with the addition of a site specific use allowance for this property.

Appendix A shows the location of the property

The applicant is planning to construct a building once the outcome of the Zoning Amendment is known. This building would be subject to a Development Permit for Form and Character.

Cannabis Production Facilities and Cannabis Retail Stores are prohibited in the Town of Gibsons, and require a site specific Zoning Amendment or Temporary Use Permit to operate.

## CONTACT INFORMATION

Date:

Agency or department:

For further information on the comments provide contact below:

Chris	Morse	Environmental Health O
<i>First Name</i>	<i>Last Name</i>	<i>Position</i>
604-885-8701	chris.morse@vch.ca	
<i>Phone</i>	<i>Email</i>	

## COMMENT

Thank you for the opportunity to comment on this referral.

Cannabis production is regulated by the the Federal government and they are responsible for regulating and enforcing industry-wide standards for the growth and distribution of cannabis.

Vancouver Coastal Health is more involved with retail Cannabis sales and its impact on population health. We do not have a direct role in cannabis cultivation and therefore do not have specific comments for this facility.

Generally, it is important that this facility be designed in a manner that does not cause a health nuisance for neighboring properties, specifically in the area of noise and odour. There are no formal thresholds for measurement for these nuisances, but it would be prudent to ask the applicant how they intend to ensure that odour and noise are controlled.

We do not object to nor approve this application. If you have specific concerns regarding public or environmental health related to this proposal

Regards,  
Chris Morse  
Environmental Health Officer

## RECOMMENDATION

- Approval Recommended
- Approval Recommended with Changes
- Additional Information Required
- Other: Neutral
- Approval Not Recommended
- Interests Unaffected by Proposal



# POLICY MANUAL

**DRAFT**

<b>TITLE:</b>	<b>CANNABIS RETAIL / PRODUCTION FACILITY POLICY</b>	<b>POLICY 3.17</b>
<b>PREPARED BY:</b>	Director of Planning	<b>RESOLUTION:</b>
<b>APPROVED BY:</b>	Council	<b>REVISION DATE:</b>
<b>EFFECTIVE DATE:</b>		

## 1 PURPOSE

The Government of Canada announced the legalization of the recreational use of cannabis in Canada on October 17, 2018, and legalized edibles on October 17, 2019. The federal *Cannabis Act* is the legal framework under which the production, distribution, sale and possession of cannabis, for both medical and non-medical (recreational) purposes, is regulated in Canada. Through legislation including the *Cannabis Control and Licensing Act*, the Province of British Columbia has created a legislative framework to supplement federal legislation and facilitate legal and controlled access to recreational cannabis in British Columbia following federal legalization.

In coordination with federal and provincial regulations, this Policy creates a framework under which recreational cannabis retail businesses (“Cannabis Stores”) and Cannabis Production Facilities will be established in the Town, with a focus on the following:

- Defining locational criteria for where Cannabis Stores may be situated, based on land use requirements, separation from sensitive uses and geographical distribution;
- Implementing the application procedure under which proposals for new Cannabis Stores are to be submitted, assessed and approved to operate within the Town.

## 2 APPLICABILITY

This policy is applicable to all rezoning applications to operate a Cannabis Store or Cannabis Production Facility in the Town, and assessments of provincial referrals of retail cannabis applications from the Liquor Control and Licensing Branch.



### 3 AUTHORITY TO ACT

The legislative framework of the Province of British Columbia, including the *Community Charter*, *Local Government Act*, and, in the case of Cannabis Stores, the *Cannabis Control and Licensing Act*, provides the basis upon which the Town may regulate certain locational aspects of cannabis retail businesses and production facilities, as well as procedures for assessing and approving business proposals.

Administration of this policy is delegated to the Planning Department.

### 4 PROCEDURES

The following describes locational criteria for all Cannabis Stores and Cannabis Production Facilities in the Town and outlines the procedure under which applications will be accepted, assessed and approved.

#### 4.1 Locational Criteria

##### 4.1.1 Cannabis Stores

- 4.1.1.1 Cannabis Stores may only be located on properties assigned with the “Mixed-Use Commercial” land use designations under the Smart Plan – Gibsons Official Community Plan (OCP) – Schedule B Land Use Plan (see Appendix A);
- 4.1.1.2 Cannabis Stores may not be located within a 150-metre distance of public Elementary and Secondary Schools (see Appendix B); and
- 4.1.1.3 Cannabis stores may not be located within 100 m from each other, as measured from door to door.

##### 4.1.2 Cannabis Production Facilities

- 4.1.2.1 Cannabis Production Facilities may only be located on properties assigned with the “Service Commercial / Business Centre” land use designations under the Smart Plan – Gibsons Official Community Plan (OCP) – Schedule B Land Use Plan (see Appendix A), except for properties designated as agricultural land under the *BC Agricultural Land Commission Act*;
- 4.1.2.2 Cannabis Production Facilities may not be located within a 150-metre distance of public Elementary and Secondary Schools (see Appendix B); and
- 4.1.2.3 Cannabis production facilities may not be located within 100 m from each other, as measured from door to door.

## 4.2 Application Procedure

- 4.2.1 Resources for application submission, including detailed instructions and links to the application form, submission requirements and other relevant information, will be posted on the Town's website at <https://gibsons.ca/business/cannabis-sales/> upon Adoption of this Policy.
- 4.2.2 All Cannabis Store applications must include the information identified in Appendix C to be considered complete. Initial evaluation will be based on whether required documentation has been submitted. Through the rezoning process, a more in-depth analysis will be completed, at which point additional documents may be required.
- 4.2.3 Staff will review applications on a "first-come, first serve" basis for application completeness.
- 4.2.4 All Cannabis Store applications that proceed to the rezoning stage must pay an application fee as outlined in the Rates, Fees, and Charges Bylaw No. 1196.
- 4.2.5 All rezoning applicants for a Cannabis Store or a Cannabis Production Facility must follow standard procedures for the rezoning process, including the following:
- Responding to feedback and comments from staff, applicable advisory bodies, and the public;
  - Organizing an open house session and conducting other applicable public notification and consultation measures; and,
  - Attending standard Council proceedings, including a Public Hearing, when scheduled.
- 4.2.6 All rezoning applications for Cannabis Stores which proceed through First and Second Reading will be held at Third Reading pending confirmation of approval for a Provincial Non-Medical Cannabis Retail License. Should an application at Third Reading not receive Provincial approval, the application will be denied.
- 4.2.7 Upon rezoning approval, applicants may submit a business license application and, if applicable, development permit and building permit applications to the Town. These permits must be issued before any work may be done and before the business or production facility may commence operations.
- 4.2.8 Once operational, staff will monitor Cannabis Stores and Cannabis Production Facilities to keep Council informed on the state of cannabis retail and production in the Town. After a period of three years, staff will reassess the Policy to determine whether amendments are warranted and/or if additional stores or production facilities should be considered in the Town,

and return to Council with a recommendation for next steps. Council may request an alternative timeline for staff reassessment of the Policy at their discretion.

## 5 APPENDICES

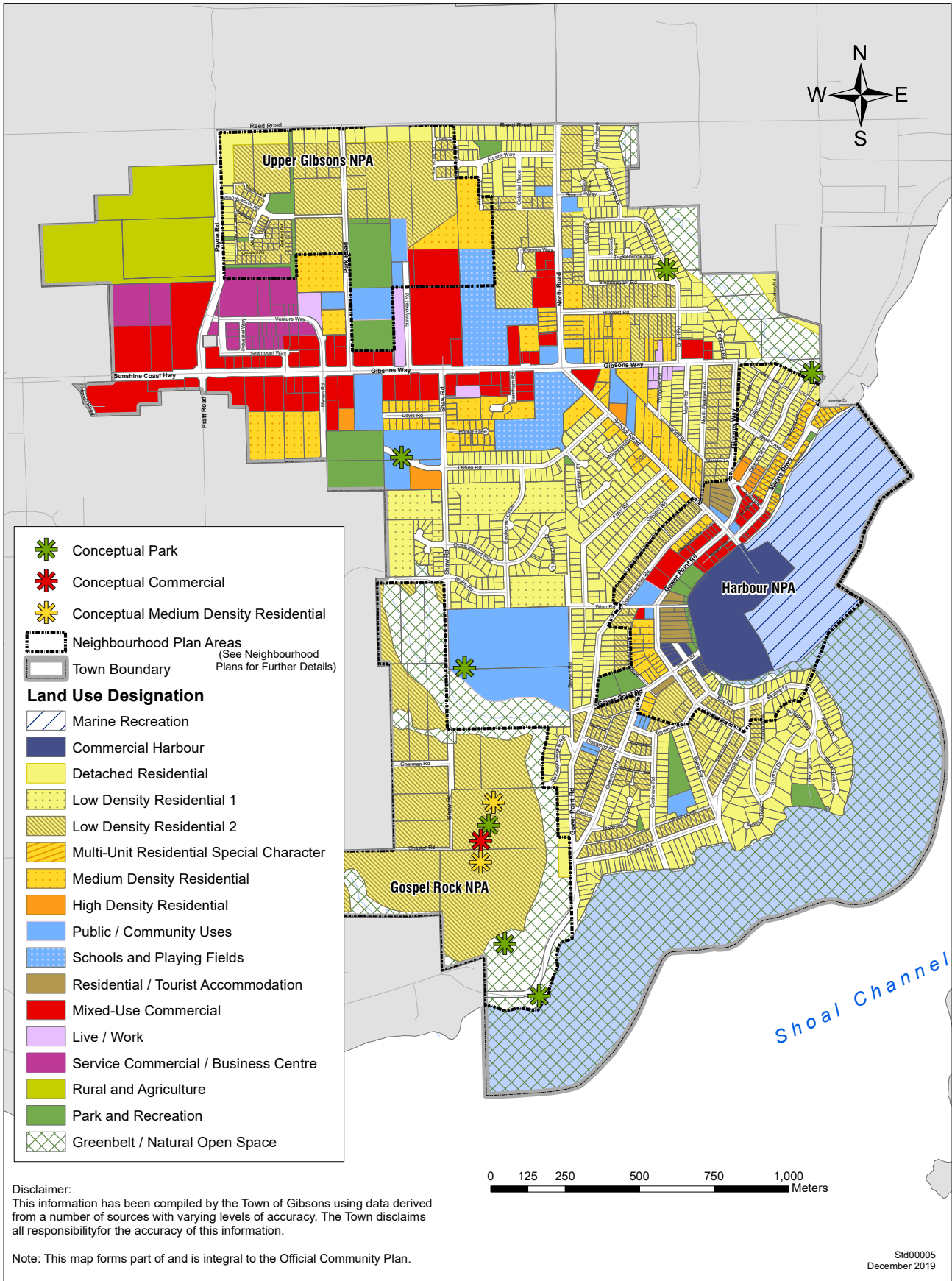
Appendix A – OCP Land Use Designation Map

Appendix B – 150-metre Radius Separation Requirement from Gibsons Elementary and Elphinstone Secondary School

Appendix C – Application Submission Requirements



# Official Community Plan Schedule B - Land Use Plan



# APPENDIX B

## 150-metre buffer around schools

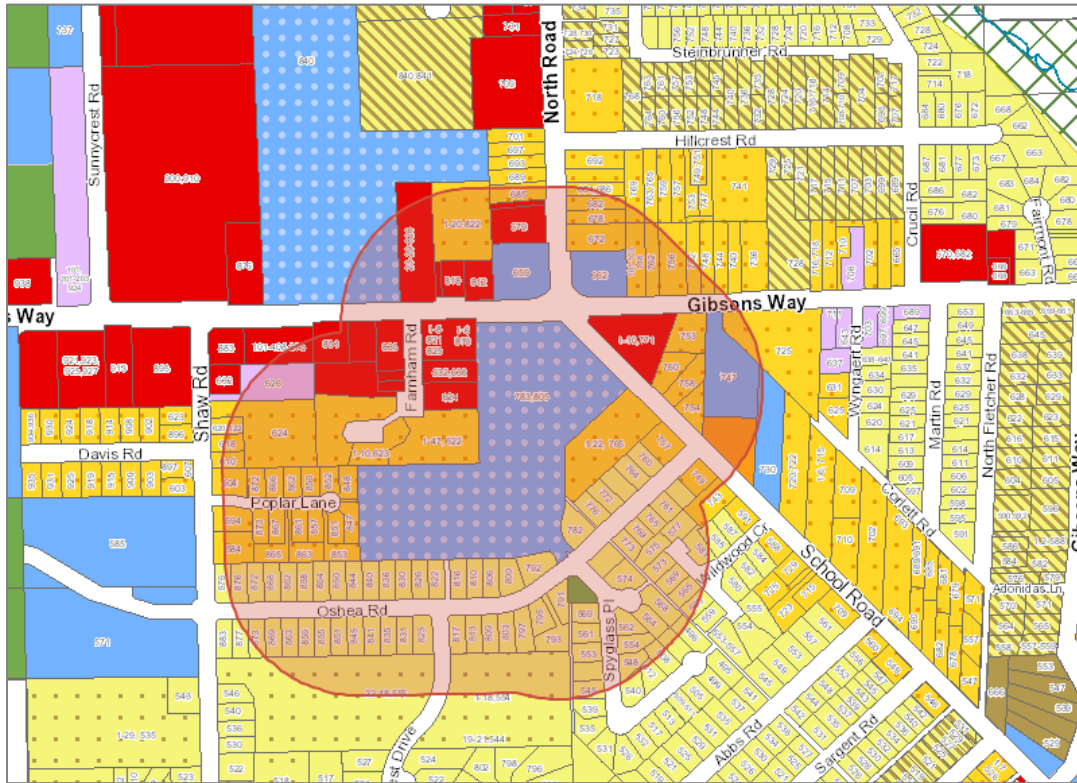


Figure 1: 150 m buffer around Gibsons Elementary School overlaid on OCP land use map

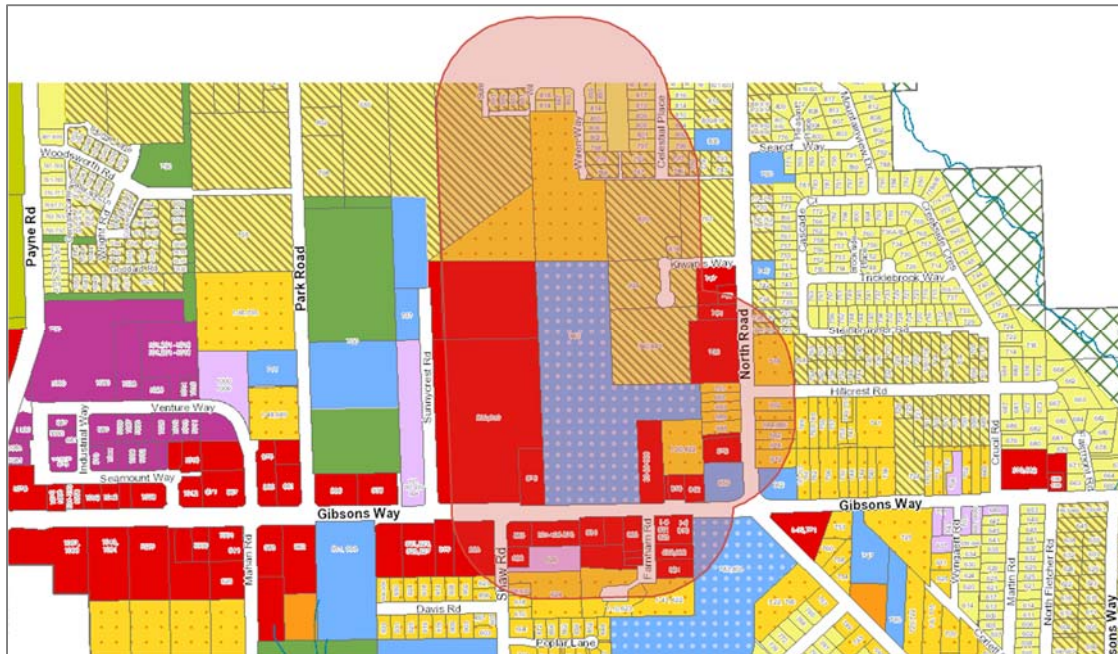


Figure 2: 150 m buffer around Elphinstone Secondary School overlaid on OCP land use map

APPENDIX C  
Cannabis Store Application Submission Requirements

Cannabis Stores – Application Submission Requirements

Y/N	REQUIRED INFORMATION / DOCUMENTATION
	Name and contact information of applicant(s)
	Civic address and legal description of property where the proposed business is to be located
	Letter of consent signed by the subject property strata corporation or registered owner(s) authorizing application submission and proof of an option for lease or purchase of the subject property; or a State of Title Certificate confirming the ownership of the subject property
	Confirmation that the proposed location complies with all locational requirements as per this policy
	Full description of the proposed business operation, including, at minimum, the following information: <ul style="list-style-type: none"> <li>• past business experience</li> <li>• corporate structure</li> <li>• number of staff, products sold, target market, and</li> <li>• hours of operation</li> <li>• other general business information</li> </ul>
	Letter confirming that all individuals/corporate entities associated with the proposed business are not currently operating any illegal recreational cannabis operations in the Town of Gibsons
	Description of the expected time frame for commencing business activities within the Town, if approved
	A Community Impact Statement outlining the following: <ul style="list-style-type: none"> <li>• Potential positive and negative economic, social and environmental impacts the business may have on the immediate neighbourhood and wider community</li> <li>• Strategies for mitigating potential negative impacts</li> </ul>
	A Security Plan demonstrating security features that comply or exceed Provincial requirements
	Provincial licensing referral from Liquor and Cannabis Regulation Branch (required to be received from Province)

**TOWN OF GIBSONS**

**BYLAW NO. 1065-57, 2020**

A Bylaw to amend *Town of Gibsons Zoning Bylaw No. 1065, 2007*

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**WHEREAS** the Council for the Town of Gibsons has adopted *Town of Gibsons Zoning Bylaw No. 1065, 2007*;

**AND WHEREAS** the Council deems it desirable to amend the Zoning Bylaw;

**NOW THEREFORE** the Council, in open meeting assembled, enacts as follows:

- 1) This Bylaw may be cited as the *Zoning Amendment Bylaw No. 1065-57, 2020*.
- 2) The *Town of Gibsons Zoning Bylaw No. 1065, 2007* is amended by:
  - a) Inserting a new Section, 12.16 Site Specific Uses, after Section 12.15, and renumbering the subsequent sections as follows:

**12.16 Site Specific Uses**

In addition to the uses permitted in Sections 12.14 and 12.15, a Cannabis Production Facility is permitted on Lot 9, Blocks 1 to 4, District Lot 689, Plan 17211 (Civic Address: 1037 Venture Way).

- b) Making such consequential alterations and annotations as are required to give effect to this amending bylaw, including renumbering of subsequent provisions of the Bylaw.

<b>READ</b> a first time the	<b>##</b>	day of <b>MONTH,</b>	<b>202X</b>
<b>READ</b> a second time the	<b>##</b>	day of <b>MONTH,</b>	<b>202X</b>
<b>PUBLIC HEARING</b> held the	<b>##</b>	day of <b>MONTH,</b>	<b>202X</b>
<b>READ</b> a third time the	<b>##</b>	day of <b>MONTH,</b>	<b>202X</b>
<b>ADOPTED</b> the	<b>##</b>	day of <b>MONTH,</b>	<b>202X</b>

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William Beamish, Mayor

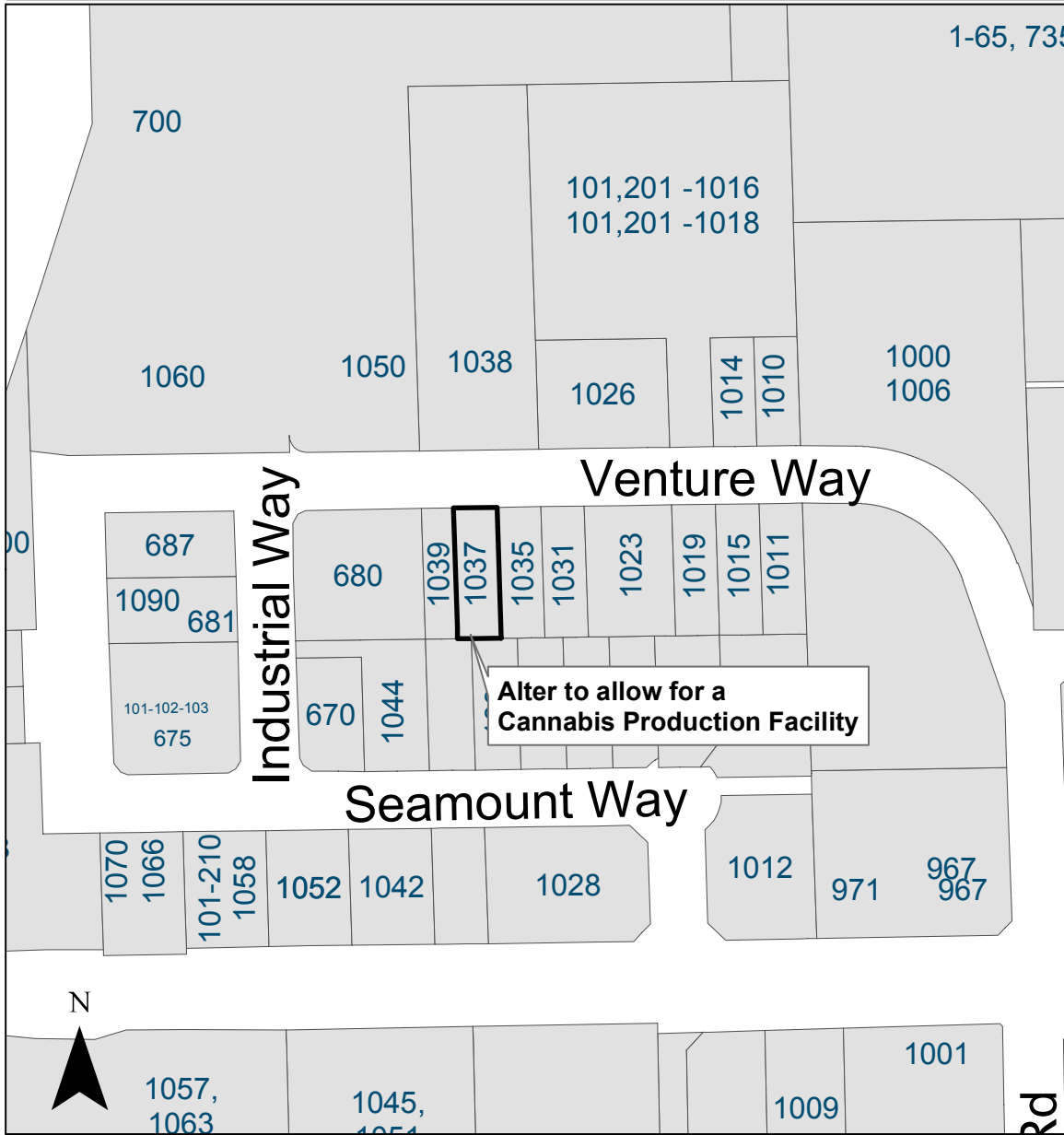
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Lindsey Grist, Corporate Officer



### Appendix A

### Zoning Amendment Bylaw No. 1065-57, 2020



Altering the zoning designation of Lot 9 Blocks 1 to 4 District Lot 689 Plan 17211 to allow for a Cannabis Production Facility





# POLICY MANUAL

<b>TITLE:</b>	<b>CANNABIS POLICY FOR RETAIL AND PRODUCTION FACILITIES</b>	<b>POLICY 3.17</b>
<b>PREPARED BY:</b>	Director of Planning	<b>RESOLUTION:</b>
<b>APPROVED BY:</b>	Council	<b>REVISION DATE:</b>
<b>EFFECTIVE DATE:</b>		

## 1 PURPOSE

The Government of Canada announced the legalization of the recreational use of cannabis in Canada on October 17, 2018, and legalized edibles on October 17, 2019. The federal *Cannabis Act* is the legal framework under which the production, distribution, sale and possession of cannabis, for both medical and non-medical (recreational) purposes, is regulated in Canada. Through legislation including the *Cannabis Control and Licensing Act*, the Province of British Columbia has created a legislative framework to supplement federal legislation and facilitate legal and controlled access to recreational cannabis in British Columbia following federal legalization.

In coordination with federal and provincial regulations, this Policy creates a framework under which recreational cannabis retail businesses (“Cannabis Stores”) and Cannabis Production Facilities will be established in the Town, with a focus on the following:

- Defining locational criteria for where Cannabis Stores may be situated, based on land use requirements, separation from sensitive uses and geographical distribution;
- Implementing the application procedure under which proposals for new Cannabis Stores are to be submitted, assessed and approved to operate within the Town.

## 2 APPLICABILITY

This policy is applicable to all rezoning applications to operate a Cannabis Store or Cannabis Production Facility in the Town, and assessments of provincial referrals of retail cannabis applications from the Liquor Control and Licensing Branch.

### 3 AUTHORITY TO ACT

The legislative framework of the Province of British Columbia, including the *Community Charter*, *Local Government Act*, and, in the case of Cannabis Stores, the *Cannabis Control and Licensing Act*, provides the basis upon which the Town may regulate certain locational aspects of cannabis retail businesses and production facilities, as well as procedures for assessing and approving business proposals.

Administration of this policy is delegated to the Planning Department.

### 4 PROCEDURES

The following describes locational criteria for all Cannabis Stores and Cannabis Production Facilities in the Town and outlines the procedure under which applications will be accepted, assessed, and approved.

#### 4.1 Locational Criteria

##### 4.1.1 Cannabis Stores

- 4.1.1.1 Cannabis Stores may only be located on properties assigned with the “Mixed-Use Commercial” land use designations under the Smart Plan – Gibsons Official Community Plan (OCP) – Schedule B Land Use Plan (see Appendix A);
- 4.1.1.2 Cannabis Stores may not be located within a 150-metre distance of public Elementary and Secondary Schools (see Appendix B); and
- 4.1.1.3 Cannabis stores may not be located within 100 m from each other, as measured from door to door.

##### 4.1.2 Cannabis Production Facilities

- 4.1.2.1 Cannabis Production Facilities may only be located on properties assigned with the “Service Commercial / Business Centre” land use designations under the Smart Plan – Gibsons Official Community Plan (OCP) – Schedule B Land Use Plan (see Appendix A), except for properties designated as agricultural land under the BC *Agricultural Land Commission Act*; and
- 4.1.2.2 Cannabis Production Facilities may not be located within a 150-metre distance of public Elementary and Secondary Schools (see Appendix B);
- 4.1.2.3 Not more than four (4) Cannabis Production Facilities may be located in the Town of Gibsons;

## 4.2 Application Procedure

- 4.2.1 Resources for application submission, including detailed instructions and links to the application form, submission requirements and other relevant information, will be posted on the Town's website at <https://gibsons.ca/business/cannabis-sales/> upon Adoption of this Policy.
- 4.2.2 All Cannabis Store applications must include the information identified in Appendix C to be considered complete. Initial evaluation will be based on whether required documentation has been submitted. Through the rezoning process, a more in-depth analysis will be completed, at which point additional documents may be required.
- 4.2.3 Staff will review applications on a "first-come, first serve" basis for application completeness.
- 4.2.4 All Cannabis Store applications that proceed to the rezoning stage must pay an application fee as outlined in the Rates, Fees, and Charges Bylaw No. 1196.
- 4.2.5 All rezoning applicants for a Cannabis Store or a Cannabis Production Facility must follow standard procedures for the rezoning process, including the following:
- Responding to feedback and comments from staff, applicable advisory bodies, and the public;
  - Organizing an open house session and conducting other applicable public notification and consultation measures; and,
  - Attending standard Council proceedings, including a Public Hearing, when scheduled.
- 4.2.6 All rezoning applications for Cannabis Stores which proceed through First and Second Reading will be held at Third Reading pending confirmation of approval for a Provincial Non-Medical Cannabis Retail License. Should an application at Third Reading not receive Provincial approval, the application will be denied.
- 4.2.7 Upon rezoning approval, applicants may submit a business license application and, if applicable, development permit and building permit applications to the Town. These permits must be issued before any work may be done and before the business or production facility may commence operations.
- 4.2.8 Once operational, staff will monitor Cannabis Stores and Cannabis Production Facilities to keep Council informed on the state of cannabis retail and production in the Town. After a period of three years, staff will reassess the Policy to determine whether amendments are warranted and/or if additional stores or production facilities should be considered in the Town,

and return to Council with a recommendation for next steps. Council may request an alternative timeline for staff reassessment of the Policy at their discretion.

## 5 APPENDICES

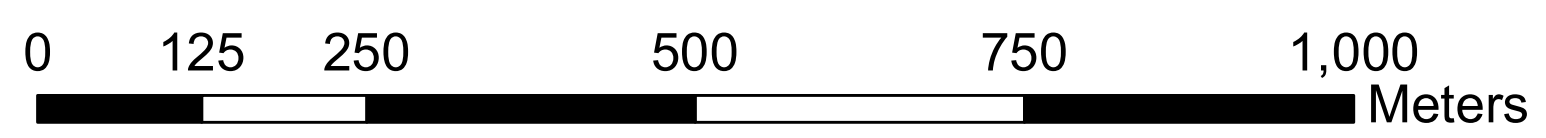
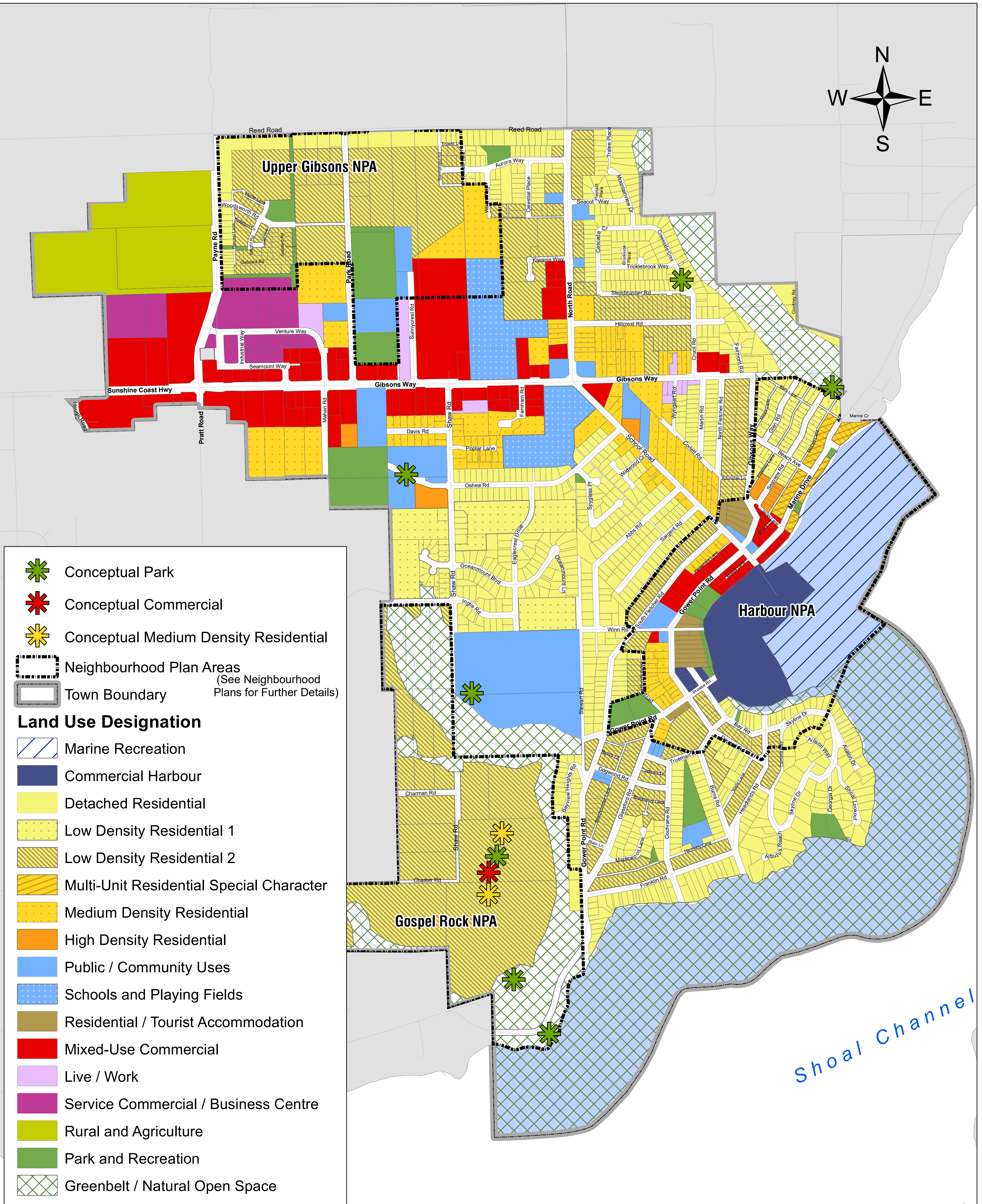
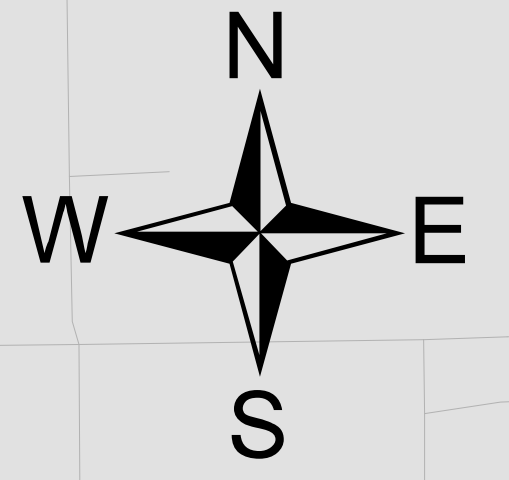
Appendix A – OCP Land Use Designation Map

Appendix B – 150-metre Radius Separation Requirement from Gibsons Elementary and Elphinstone Secondary School

Appendix C – Application Submission Requirements



# Official Community Plan Schedule B - Land Use Plan



**Disclaimer:**  
This information has been compiled by the Town of Gibsons using data derived from a number of sources with varying levels of accuracy. The Town disclaims all responsibility for the accuracy of this information.

**Note:** This map forms part of and is integral to the Official Community Plan.

# APPENDIX B

## 150-metre buffer around schools

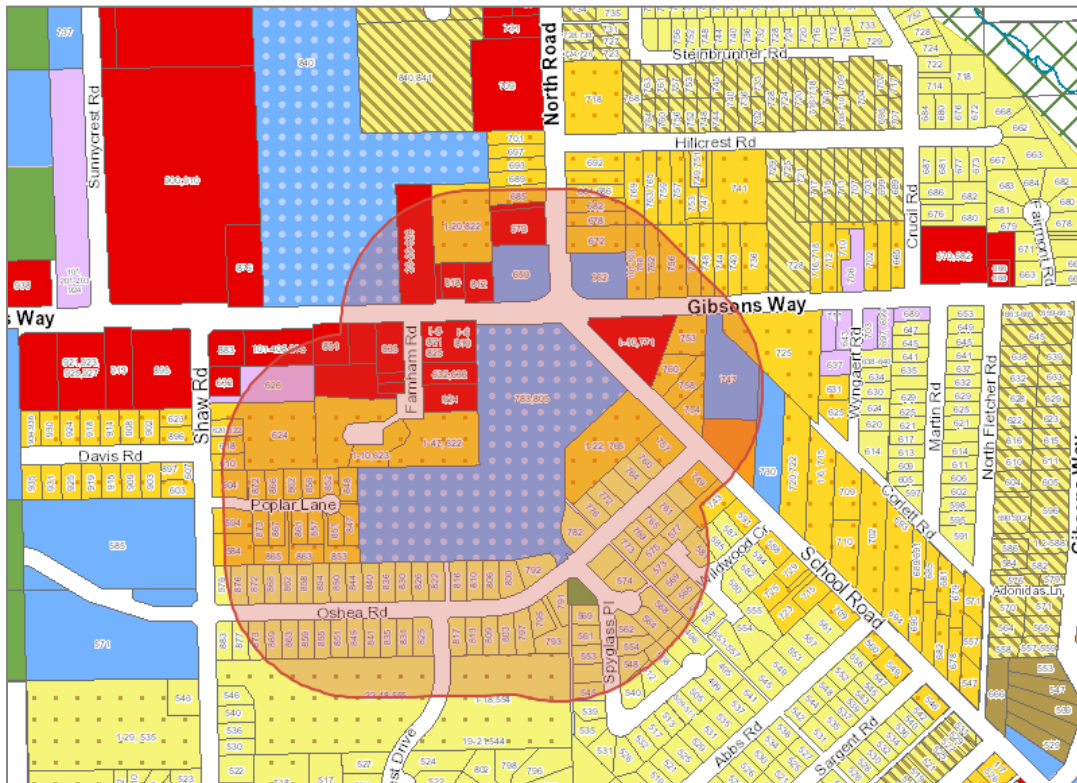


Figure 1: 150 m buffer around Gibsons Elementary School overlaid on OCP land use map

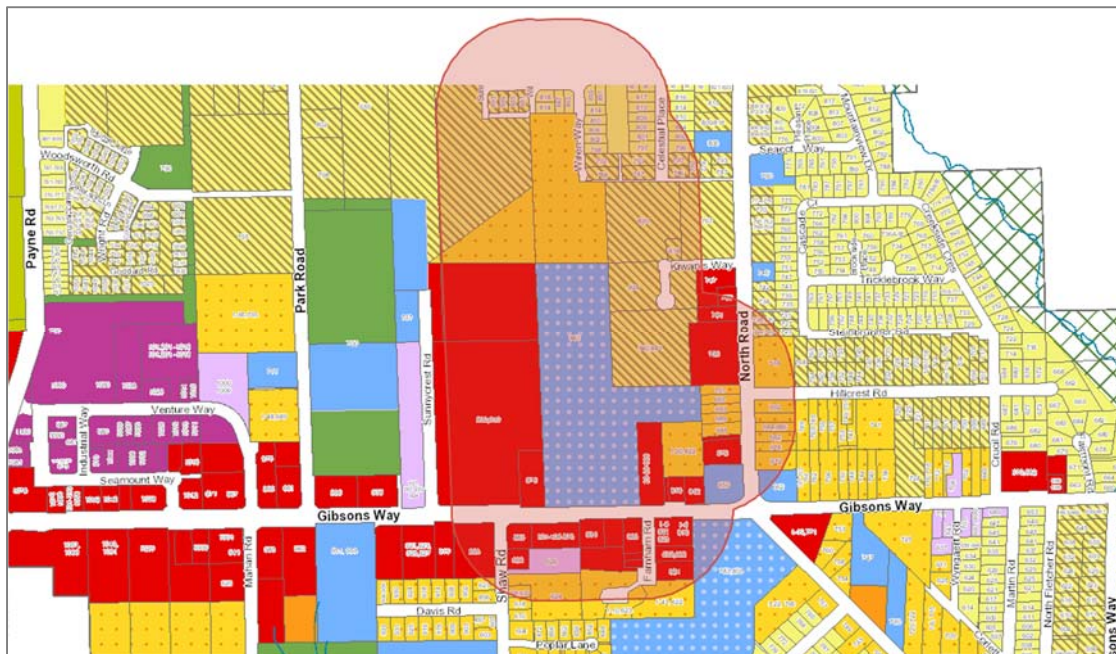


Figure 2: 150 m buffer around Elphinstone Secondary School overlaid on OCP land use map

APPENDIX C  
Cannabis Store Application Submission Requirements

Cannabis Stores – Application Submission Requirements

Y/N	REQUIRED INFORMATION / DOCUMENTATION
	Name and contact information of applicant(s)
	Civic address and legal description of property where the proposed business is to be located
	Letter of consent signed by the subject property strata corporation or registered owner(s) authorizing application submission and proof of an option for lease or purchase of the subject property; or a State of Title Certificate confirming the ownership of the subject property
	Confirmation that the proposed location complies with all locational requirements as per this policy
	<p>Full description of the proposed business operation, including, at minimum, the following information:</p> <ul style="list-style-type: none"> <li>• past business experience</li> <li>• corporate structure</li> <li>• number of staff, products sold, target market, and</li> <li>• hours of operation</li> <li>• other general business information</li> </ul>
	Letter confirming that all individuals/corporate entities associated with the proposed business are not currently operating any illegal recreational cannabis operations in the Town of Gibsons
	Description of the expected time frame for commencing business activities within the Town, if approved
	<p>A Community Impact Statement outlining the following:</p> <ul style="list-style-type: none"> <li>• Potential positive and negative economic, social and environmental impacts the business may have on the immediate neighbourhood and wider community</li> <li>• Strategies for mitigating potential negative impacts</li> </ul>
	A Security Plan demonstrating security features that comply or exceed Provincial requirements
	Provincial licensing referral from Liquor and Cannabis Regulation Branch (required to be received from Province)