



A) TOPIC: Cannabis Retail Stores – Policy and Application Procedures

B) GENERAL:

1. The City of Salmon Arm recognizes the retail sale of cannabis as being a permissive activity and land use subject to:
  - a) Adherence to Federal and Provincial laws and regulations;
  - b) Provincial licencing approval;
  - c) Adherence to City bylaws and regulations; and
  - d) City business licencing approval.
2. The City's Zoning Bylaw permits the retail sale of goods including cannabis in various commercial zones; however, despite the zoning of a property, the location of a retail store intending to sell cannabis must be approved by a City Council resolution and Provincial approval.
3. City Council will, at its discretion, consider a recommendation of approval or not of a retail store intending to sell cannabis during its formal review of a cannabis retail licence application referred to the City by the Province of British Columbia.
4. During its review of a Provincial application, City Council may or may not consider the location preference criteria of this policy.
5. This policy is intended to serve merely as guidelines and does not bind City Council in its decision making process.
6. Application review procedures for cannabis retail stores are outlined in Section E) of this policy.
7. The City deems the Federal and Provincial governments as being responsible for the monitoring and enforcement of its laws and regulations pertaining to cannabis retail sales.

C) ZONING BYLAW:

The City of Salmon Arm's Zoning Bylaw No. 2303 allows cannabis retail sales under the defined uses *retail store* and *convenience store* as permitted in the following zones:

- C-1 Neighbourhood Commercial
- C-2 Town Centre Commercial Zone
- C-3 Service Commercial Zone
- C-6 Tourist/Recreation Commercial Zone
- C-7 Shopping Centre Commercial Zone
- CD-8 Comprehensive Development Zone (*Wal-Mart Smart REIT Site*)
- CD-9 Comprehensive Development Zone (*Askew's Uptown and S.A.S.C.U. Site*)
- CD-16 Comprehensive Development Zone (*The Hive*)

D) LOCATION PREFERENCE CRITERIA:

- The site and location of a cannabis retail store shall be zoned correctly and in accordance with the City's Zoning Bylaw.

- Cannabis retail stores should be located within the boundary of the “Commercial Area” shown on Map 1 attached to this policy.
- No more than four (4) cannabis retail stores should be located within the “Core Commercial Area” shown on Map 1-A.
- The existing commercial area of Canoe in the vicinity of the 50 Street and Canoe Beach Drive NE intersection may be deemed as being appropriate for a cannabis retail store, subject to correct commercial zoning.
- Cannabis retail stores should be located beyond 500 m of a school (measurement determined by City staff).
- Cannabis retail stores should not be located within a building containing residential units.

#### E) CITY APPLICATION REVIEW PROCEDURES:

1. The City will prioritize the review of Provincial cannabis retail store applications in order of the date and time each referral is date stamped received and only after the Business Licence application fees are paid in full to the City.
2. The Business Licence application fees for a cannabis retail store are set out in the City’s Fee for Service Bylaw. The fees include a non-refundable surcharge to cover public notification and application processing time.
3. City staff will review the application and provide a brief written report to Council on whether or not the proposed site and location meets the criteria of this policy.
4. City staff will schedule a Hearing on the application that is open for public input on the date of a Regular Council meeting. The applicant is expected to attend the Hearing in order to present the proposal and answer questions from Council and the public.
5. The particulars of the application proposal, the Hearing date, along with time and location of the Regular Council meeting will be advertised one-time in the weekly local newspaper. Notices of the Hearing and application proposal will be delivered to the applicant and to all persons who own, reside or operate a business on property within 30 m of the proposed cannabis retail site. Notices will be delivered at least 10 days prior to a scheduled Hearing.
6. The associated City staff report and public input received will be on the agenda of the Regular Council meeting when the Hearing date is scheduled.
7. City Council will render its recommendation on the Provincial application with a formal resolution after and likely on the same date as the Hearing.
8. Subsequent to the Council meeting, City staff will provide the Province with its recommendation (i.e. the Council resolution), the City staff report, written public input and a record of the input received at the Hearing on the application.
9. Prior to issuance of a Business Licence issuance, City staff from the Building and Fire Departments will inspect the premise to ascertain compliance with BC Building and Fire Codes. Furthermore, approval of the cannabis retail business by way of proof of Province licensing is a key condition for issuance of a City Business Licence.

Policy 3.20  
Adopted by Council this \_\_\_\_ day of \_\_\_\_\_, 2018.