

Request for Decision



To: Regular Meeting
From: **Development and Engineering**
Date: September 4, 2018
Subject: Cannabis delegation bylaw
Recommendation: **RESOLVED THAT Council gives the first three readings to “Cannabis Delegation Bylaw No. 2053”; and THAT Council adopts Policy 1504 - Retail Cannabis Licence Recommendation.**

Staff introduced the critical path for Cannabis legalization and regulation by the City at the February 13, 2018 Committee of the whole. The Official Community Plan and the Zoning Bylaw have been amended to define where retail Cannabis businesses may operate and where grow operations may be located. The province's retail licencing system includes a referral for recommendation from local government. Without a positive recommendation, the Liquor and Cannabis Regulation Branch (LCRB) will not issue a licence.

According to the LCRB:

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.

Staff propose to handle these recommendations in a similar manner to business licencing and planning permits. The initial approval is made at the staff level through delegated authority and reconsiderations are brought to Council. This is done through a delegation bylaw, the draft of which is attached. This ensures a predictable and fair process that allows the business community to make informed decisions when deciding to locate or invest in Grand Forks. Staff would follow a policy set by Council. That draft policy “1504 – Retail Cannabis Licence Recommendation” is attached for review. Please note that the overall potential locations for retail Cannabis stores has already been set by Council in the Zoning Bylaw.

Committee of the Whole considered this bylaw and policy at the August 20, 2018 meeting. There was some concern over delegating this power to staff. The goal of the delegation is to present the business community with a consistent approvals standard

and environment. Staff would still be required to consult with the public and Council can set the standard for public consultation within Policy 1504. This delegation bylaw would mean that Cannabis retail business approvals would be handled by the same department, and with the same care and attention, as business licence and development approvals.

Bylaw 2053 and Policy 1504 are now presented for first three readings and adoption respectively.

Benefits or Impacts

General

This outlines the process for delivering recommendations to the LCRB on retail Cannabis store licences.

Strategic Impact



Community Engagement

- Policy 1504 mandates staff to engage residents before delivering a recommendation to the LCRB



Economic Growth

- Bylaw 2053 and Policy 1504 outline a predictable and fair process for retail Cannabis businesses.

Policy/Legislation

Cannabis Delegation Bylaw No. 2053

Policy 1504 – Retail Cannabis Licence Recommendation

Attachments

Bylaw 2053

Policy 1504

Recommendation

**RESOLVED THAT Council gives the first three readings to “Cannabis Delegation Bylaw No. 2053”; and
THAT Council adopts Policy 1504 - Retail Cannabis Licence Recommendation.**

Options

1. RESOLVED THAT Council accepts the report.
2. RESOLVED THAT Council does not accept the report.
3. RESOLVED THAT Council refers the matter back to staff for further information.

Report Approval Details

Document Title:	RFD 2018 Cannabis Delegation Bylaw 2053 RM1.docx
Attachments:	- 1504 - Retail Cannabis Licence Recommendation.docx - By2053 - Cannabis Delegation Bylaw.docx
Final Approval Date:	Aug 23, 2018

This report and all of its attachments were approved and signed as outlined below:

Dolores Sheets - Aug 23, 2018 - 8:20 AM

Diane Heinrich - Aug 23, 2018 - 9:09 AM