

# Request for Decision



To: Regular Meeting  
From: **Development and Engineering**  
Date: September 24, 2018  
Subject: Cannabis delegation bylaw  
Recommendation: **RESOLVED THAT Council adopts “Cannabis Delegation Bylaw No. 2053”.**

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## Background

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 were given the first three readings and adoption respectively at the September 4, 2018 Regular Meeting. Bylaw 2053 is now presented for adoption.

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## 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

## Attachments

Bylaw 2053

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## Recommendation

**RESOLVED THAT Council adopts “Cannabis Delegation Bylaw No. 2053”.**

## 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 adoption.docx
Attachments:	- By2053 - Cannabis Delegation Bylaw.docx
Final Approval Date:	Sep 17, 2018

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

**Dolores Sheets - Sep 17, 2018 - 2:37 PM**

**Diane Heinrich - Sep 17, 2018 - 2:51 PM**