



**RESORT MUNICIPALITY OF WHISTLER**

4325 Blackcomb Way      **TEL** 604 932 5535  
Whistler, BC Canada V8E 0X5      **TF** 1 866 932 5535  
whistler.ca      **FAX** 604 935 8109

## **STAFF REPORT TO COUNCIL**

**PRESENTED:** September 20, 2022      **REPORT:** 22-130  
**FROM:** Planning - Projects      **FILE:** 7657.00  
**SUBJECT:** RESORT MUNICIPALITY OF WHISTLER CANNABIS RETAIL STRATEGY BYLAW  
AMENDMENTS REPORT

### **RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER**

**That** the recommendation of the General Manager of Resort Experience be endorsed.

### **RECOMMENDATION(S)**

**That** Council consider giving first and second readings to “Zoning Amendment Bylaw (Cannabis Retail) No. 2371, 2022”;

**That** Council consider giving first, second and third readings to “Business Licence Amendment Bylaw (Cannabis Retail) No. 2373, 2022” (Business Licence Bylaw);

**That** Council consider giving first, second and third readings to “Liquor Licence and Cannabis Retail Licence Application Processing Fee Bylaw No. 2374, 2022”;

**That** Council authorize staff to schedule a Public Hearing regarding “Zoning Amendment Bylaw (Cannabis Retail) No. 2371, 2022”; and further

**That** Council authorize staff to give public notice of their intention to adopt the Business Licence Bylaw and provide an opportunity for persons who consider they are affected by the Business Licence Bylaw to make written submissions to Council prior to adoption of the Business Licence Bylaw.

### **PURPOSE OF REPORT**

This report presents the proposed bylaw amendments in alignment with the Cannabis Retail Policy G-27 to introduce, permit and regulate cannabis retail stores in the Whistler community using Temporary Use Permits (TUPs).

- “Zoning Amendment Bylaw (Cannabis Retail) No. 2371, 2022;” (the Zoning Bylaw) is proposed to be amended to designate TUP areas for the retail sale of cannabis and specify general conditions regarding the issuance of TUPs for the retail sale of cannabis including minimum required distances between cannabis retail stores and schools and maximum number of cannabis retail stores;

- “Business Licence Amendment Bylaw (Cannabis Retail) No. 2373, 2022 (the Business Licence Bylaw) is proposed to be amended to include an additional application requirement for a cannabis retail store business licence;
- The Liquor Licence Application Processing Fee Bylaw (Liquor Bylaw) is proposed to be repealed and replaced with the “Liquor Licence and Cannabis Retail Licence Application Processing Fee Bylaw No. 2374, 2022” (Liquor and Cannabis Application Bylaw), to establish a fee in respect of cannabis retail store licence applications referred to the RMOW;

Amendments to the Land Use Procedures and Fees Bylaw for Cannabis Retail TUPs are also required and these have been addressed in the Land Use Procedures and Fees Bylaw No. 2205, 2022 – First, Second, and Third Reading Report, presented to Council on September 20, 2022.

This report also recommends that Council direct staff to schedule a Public Hearing for the proposed Zoning Bylaw amendment, and to direct staff to give public notice of the proposed Business Licence Bylaw amendment and to give members of the public the opportunity to make written submissions to Council on the proposed bylaw.

Information Report

Administrative Report (Decision or Direction)

## **DISCUSSION**

### **Background**

On August 2, 2022, Council received an update on community engagement, adopted Cannabis Retail Policy G-27 (attached as Appendix A) and directed staff to bring forward proposed bylaw amendments for the regulation of cannabis retail in Whistler consistent with the framework described in [Administrative Report 22-116](#), including amendments to:

- Zoning and Parking Bylaw No. 303, 2015;
- Land Use Procedures and Fees Bylaw No. 2019, 2012;
- Liquor Licence Application Processing Fee Bylaw No. 2224, 2019;
- Business Licence and Regulation Bylaw No. 2253, 2019; and
- Bylaw Enforcement Notice Bylaw No. 2174, 2018.

Subsequent to the previous meeting, staff determined that amendments to the Bylaw Enforcement Notice Bylaw are unnecessary, as the existing Bylaw establishes adequate procedures for enforcing Whistler’s bylaws with respect to cannabis retail stores.

Council Policy G-27 along with the proposed bylaw amendments allow for a clear set of regulations that establishes where and how many cannabis retail stores may be allowed through designating TUP areas and specifying general conditions regarding the issuance of TUPs to permit the retail sale of cannabis in those areas, and providing a transparent application intake, review and approvals process for new cannabis retail stores in Whistler. Subject to adoption of the proposed bylaw amendments, a designated intake period will be defined to consider complete cannabis retail TUP applications in a batch application process. Staff will review applications for completeness and evaluation submission following the policy guidelines. All complete cannabis retail TUP applications will be presented to Council with recommendations for consideration of approval.

### **Analysis**

The legislative framework of the Province of British Columbia, including the *Community Charter*, *Local Government Act* (LGA), and the *Cannabis Control and Licensing Act* (CCLA), provide the basis upon which the RMOW may regulate certain locational and other aspects of cannabis retail stores, as well as procedures for assessing and approving business proposals. The following analysis provides an overview of the bylaw amendments for Council consideration proposed to implement the RMOW's policy framework for cannabis retail.

### **Zoning Bylaw Amendment**

The proposed Zoning Bylaw allows the land use to be permitted through TUPs and specifies general conditions regarding the issuance of TUPs including locations that provide sufficient buffers between stores and a maximum of five retail stores. The proposed Zoning Bylaw is proposed to be amended to:

- add a definition of cannabis retail that refers to the definition in the Federal *Cannabis Act* in Part 2 (Interpretation);
- revise the RMOW-wide prohibition on cannabis retail that is currently included in Part 4 (General Prohibitions);
- designate five TUP areas (Village, Village North, Creekside, Function Junction and Nesters Plaza) where the retail sale of cannabis may be allowed in Part 5 (General Regulations); and
- Specify general conditions regarding the issuance of TUPs for the retail sale of cannabis in those five TUP areas including that no more than one cannabis retail TUP will be approved in each cannabis retail TUP area and minimum distances between cannabis retail stores and schools and Meadow Park Recreation Centre.

### **Land Use Procedures and Fees Amendment Bylaw**

Staff have been working on a comprehensive update of the Land Use Procedures and Fees Bylaw, which includes provisions to address application and review requirements for cannabis retail TUPs. The updated Land Use Procedures and Fees Bylaw will establish application procedures, notification requirements, and an application fee for TUPs. Of note, the proposed Land Use Procedures and Fees Bylaw does not delegate the power to issue a TUP to permit the retail sale of cannabis in a designated TUP area. These provisions are presented in Land Use Procedures and Fees Bylaw No. 2205, 2022 – First, Second, and Third Reading Report, presented to Council on September 20th, 2022.

### **Business Licence and Regulation Bylaw Amendment**

The Business Licence Bylaw is proposed to be amended to include a requirement that cannabis retail business licence applications provide proof that the applicant has received a provincial Cannabis Retail Store licence prior to issuance of an RMOW business licence. The annual fee for a cannabis retail store is proposed to be the standard annual business licence fee of \$190.

### **Liquor Licence Application Processing Fees Bylaw**

The Liquor Bylaw is proposed to be repealed and replaced with the Liquor and Cannabis Application Bylaw that includes a fee for cannabis retail store licence applications that are referred to the RMOW from the Liquor and Cannabis Regulation Branch (LCRB), following a similar process to the RMOW's established practice for liquor store licence referrals. The proposed fee offsets the costs incurred in assessing the referral, including staff time and advertising.

## Bylaw Enforcement Notice Bylaw Amendment

Following further review it was determined that no amendments to the Bylaw Enforcement Notice Bylaw are necessary.

---

## POLICY CONSIDERATIONS

### Relevant Council Authority/Previous Decisions

On August 2, 2022, Council received [Administrative Report 22-116](#) which presented the public engagement summary on the proposed approach to administer and regulate cannabis retail through TUPs in Whistler that took place over winter and spring 2022. At that meeting, Council adopted Cannabis Retail Policy G-27 to provide clarity and direction for the intake, evaluation and processing of cannabis retail applications, and directed staff to bring forward proposed bylaw amendments to allow for a cannabis retail use to be permitted and regulated in Whistler.

[Administrative Report No. 21-137](#) (December 7, 2021) presented an overview of the recommended approach to permitting and regulating cannabis retail in Whistler, and to seek endorsement of a work program and engagement strategy to bring forward an OCP-based framework outlining community goals, objectives, and policies to guide consistent decision-making, and related bylaw amendments for regulation of cannabis retail in Whistler.

### Corporate Plan

The RMOW Corporate Plan is updated annually and articulates strategic direction for the organization. This section identifies how this report links to the plan.

### Council Focus Areas

Community Balance

*Effectively **balance resort and community needs** through deliberate planning, partnerships and investment*

Climate Action

*Provide leadership to **accelerate climate action and environmental performance** across the community*

Housing

*Advance strategic and innovative initiatives to enable and **deliver additional employee housing***

Pandemic Recovery

*Leadership and support for **community and tourism recovery and sustainability** – priority focuses are where recovery needs intersect with other Council focus areas*

Not Applicable

### Corporate Goals

Community character and mountain culture is reflected in municipal initiatives

Municipal decision-making supports the effective stewardship of natural assets and ecological function

- Corporate policies and operations ensure continuous excellence in infrastructure, facility and program management
- A high level of accountability, transparency and community engagement is maintained
- Corporate financial health is optimized to ensure long-term community success
- A vibrant local economy and safe, resilient resort community is effectively reinforced by organizational activities

### **Community Vision and Official Community Plan**

The Official Community Plan (OCP) is the RMOW's most important guiding document that sets the community vision and long-term community direction. This section identifies how this report applies to the OCP.

Chapter 5: Land Use and Development addresses residential and tourist accommodation, commercial and industrial space, and agricultural and extractive uses. In particular, Goal 5.6 seeks to maintain a complementary balance of commercial land use to reinforce Whistler's mountain resort character, the needs of the community, and the local tourism economy.

- |          |           |   |
|----------|-----------|---|
| 5.6.1    | Objective | Maintain a balanced supply of commercial and industrial space and associated land uses.   |
| 5.6.1.6  | Policy    | Evaluate any proposed rezoning for additional space or changes in use for consistency with the intended purpose and roles of the location, compatibility of the surrounding area, the potential displacement of other essential uses, and potential impacts on the vitality and success of other existing developments. |
| 5.6.3.19 | Policy    | Work to address potential impacts associated with federal legalization of cannabis.   |

---

### **BUDGET CONSIDERATIONS**

Staff time for this work is covered by the Planning Department budget. Once the proposed cannabis retail regulatory scheme has been created, and relevant bylaws adopted, application fees will be imposed to offset staff time reviewing and administering cannabis retail temporary use permit and licence applications.

---

### **LÍLWAT NATION & SQUAMISH NATION CONSIDERATIONS**

The RMOW is committed to working with the Lílwat People, known in their language as *L'il'wat7úl* and the Squamish People, known in their language as the *Skwxwú7mesh Úxwumixw* to: create an enduring relationship; establish collaborative processes for Crown land planning; achieve mutual objectives; and enable participation in Whistler's resort economy. This section identifies areas where RMOW activities intersect with these relationships.

Report recommendations are consistent with the goals and objectives contained in OCP Chapter 3: and OCP Chapter 4: Growth Management. Relevant policies from OCP Chapter 3 pertain to participation in Whistler planning and development for the Squamish Nation and Lílwat Nation, specifically:

- 3.3.3.1 Policy The Lílwat Nation and Squamish Nation meaningfully participate in the future direction of Whistler and the surrounding region.
- 3.6 Goal The Squamish Nation and Lílwat Nation are successfully participating in Whistler's resort economy and regional economic growth.
- 3.6.1 Objective Strengthen cooperation and coordination to realize economic benefits.

OCP Goal 4.1 is to effectively manage to maintain Whistler's unique sense of place, protect the environment, provide a high quality of life for residents and provide exceptional visitor experiences. The related policy from Chapter 4 pertaining to cooperative relationship building with Squamish Nation and Lílwat Nation is:

- 4.1.2.3 Policy Work collaboratively towards both Whistler and the Lílwat and Squamish Nations benefiting from the local tourism economy and complementary economic development and capacity building opportunities.

This approach will further the RMOW's commitment to creating an enduring relationship and enabling participation in Whistler's resort economy.

Whistler's Cannabis Retail Policy has been shared with the Lílwat Nation and the Squamish Nation via their referral portals.

---

## COMMUNITY ENGAGEMENT

Level of community engagement commitment for this project:

- Inform     Consult     Involve     Collaborate     Empower

Comment(s):

During development of the Cannabis Retail Council Policy, staff engaged the community, prospective cannabis retailers, and stakeholder groups, to gather input and insight into cannabis retail in Whistler through a combination of online forums with industry, in-person meetings with key stakeholders, a public input period, and information sharing via the RMOW's website, supported by social media. A summary of this engagement was presented on August 2, 2022 in [Administrative Report 22-116](#).

The proposed Zoning Bylaw is subject to a public hearing adhering to statutory public notice requirements prior to Council consideration of third reading.

The proposed Business Licence Bylaw amendment is subject to requirements to provide an opportunity for persons who consider they are affected by the proposed Business Licence Bylaw to make representations to Council prior to adoption. The opportunity to provide written submissions on the Business Licence Bylaw addresses this requirement and is subject to public notice.

---

## REFERENCES

Appendix A – Cannabis Retail Policy

Land Use Procedures and Fees Bylaw No. 2205, 2022 – First, Second, and Third Reading Report, Administrative Report No. 22-127 (Included in Council Package)

Zoning Amendment Bylaw No. 2371, 2022 (Included in Council Package)

Business Licence Amendment Bylaw No. 2373, 2022 (Included in Council Package)

Liquor Licence and Cannabis Retail Licence Application Processing Fee Bylaw No. 2374, 2022 (Included in Council Package)

Land Use Procedures and Fees Bylaw No. 2205, 2022 (included in Council Package)

---

## **SUMMARY**

This report presents proposed bylaw amendments related to the Cannabis Retail Policy G-27 to allow the retail sale of cannabis through the issuance of a TUP in a designated TUP area in Whistler. The proposed bylaw amendments will allow Council to consider permitting up to five stores within certain existing commercial areas of Whistler.

This report also recommends that Council direct staff to schedule a Public Hearing for the proposed Zoning Bylaw amendment, and to direct staff to give public notice of the proposed Business Licence Bylaw amendment and to give members of the public the opportunity to make written submissions on the bylaw.

The policy framework was designed to further identify community priorities, including health, safety and community well-being, resort and community balance, climate action and sustainability, and reconciliation.

---

## **SIGN-OFFS**

### **Written by:**

Megan Mucignat,  
Planning Analyst – Projects

John Chapman,  
Manager of Planning – Projects

### **Reviewed by:**

Mike Kirkegaard,  
Director of Planning

Jessie Gresley-Jones,  
General Manager, Resort Experience

Virginia Cullen,  
Chief Administrative Officer



**THE RESORT MUNICIPALITY OF WHISTLER  
COUNCIL POLICY**

<b>POLICY NUMBER:</b>	<b>G-27</b>	<b>DATE OF RESOLUTION:</b>	<b>AUGUST 2, 2022</b>
<b>NAME: Cannabis Retail Policy</b>			

### **1.0 SCOPE OF POLICY**

This policy applies to applications to permit cannabis retail stores within Whistler.

### **2.0 PURPOSE**

This policy describes the Resort Municipality of Whistler's (RMOW's) proposed approach to the regulation of cannabis retail that is consistent with the community's values and policies expressed in the Official Community Plan (OCP), including upholding the resort experience, while balancing community and guest demand with community safety and a family-friendly environment.

This policy is intended to clarify the RMOW's application intake, review, and approval process to permit new cannabis retail stores by outlining application requirements and evaluation criteria and to provide direction on regulations to permit cannabis retail stores within the RMOW.

The application guidelines and evaluation criteria set clear expectations and establish a transparent process.

### **3.0 BACKGROUND**

The federal Cannabis Act made the consumption and retail sale of cannabis legal in Canada as of October 2018, subject to provincial and local government regulations. The BC provincial *Cannabis Control and Licensing Act (CCLA)* makes the Province the licensing authority for retail sales licenses for cannabis through the Liquor and Cannabis Regulation Branch (LCRB), subject to local government approval. Local governments have the authority to regulate the location of cannabis retail stores under its zoning power. Local governments also must be in support of a particular location for a cannabis retail store for the Province to issue a Cannabis Retail Store (CRS) license under the *CCLA*. In alignment with federal and provincial regulations, this Policy creates a framework for reviewing applications to permit cannabis retail stores in Whistler.

Recognizing the RMOW's limited land supply, growth management policies, and ongoing desire for a diverse and vibrant commercial sector, the proposed cannabis regulatory framework provides for limiting approval to a select number of locations, providing reasonable access while limiting proliferation. This policy will enable the RMOW to oversee approval and



monitoring of cannabis retail, which will be thoughtfully integrated within existing land use patterns, consistent with community objectives and land use planning in Whistler, and support the goals, objectives and policies of the OCP.

This policy is intended to provide a framework for a proposed Temporary Use Permit (TUP) approach to permit a cannabis retail store in each of five TUP areas. A TUP may allow a use not permitted by the Zoning Bylaw and specify the conditions under which the temporary use may be carried out. TUPs authorize the specific use for three years and can be renewed once for an additional three years.

By maintaining case-by-case approval for cannabis retail stores through a TUP approach, the RMOW maintains authority to select successful proponents based on considerations that are consistent with the community's vision and updated OCP and advance community and municipal policy goals. This approach provides the RMOW with the authority to decide whether each application should be approved or denied based on its merits including context, neighbourhood fit, public interest, the ability to limit the number of locations, and consideration of the principles and evaluation criteria outlined in this policy and associated proposed bylaws.

The proposed regulatory approach would require all cannabis retail stores to obtain a TUP and business licence from the RMOW in conjunction with a provincial CRS license from the LCRB to operate in Whistler.

The legislative framework of the Province of British Columbia, including the *Community Charter*, *Local Government Act (LGA)*, and the *CCLA*, provides the basis upon which the RMOW may regulate certain locational and other aspects of cannabis retail stores, as well as procedures for assessing and approving business proposals.

#### **4.0 GUIDING PRINCIPLES**

The principles below guided the Cannabis Retail Policy creation and are the foundation of this Council policy. The following guiding principles were developed from existing RMOW plans and policies and are recommended to be considered in evaluation of potential cannabis retail applications along with the locational guidelines in 5.1 and the evaluation criteria specified in 5.2:

- Support a thriving and diverse economy;
- Reinforce Whistler's mountain community character;
- Promote community and social well-being;
- Establish a transparent and efficient process;
- Balance community and visitor demand with community safety and Whistler's family-friendly environment; and
- Support and advance reconciliation and economic opportunities with the Skwxwú7mesh and Lílwat7úl people.

#### **5.0 POLICIES**

##### **5.1 Location Guidelines**

A cannabis retail store may be located in a commercial unit that:

- Is within an area described as a Temporary Use Permit area shown in Schedule 1;
- Is at least 300 m from the property line of any parcel containing an elementary or high school or Meadow Park Recreation Centre; and
- Does not have frontage on the Village Stroll as shown in Schedule 1.

This policy supports approval of up to five cannabis retail stores. Cannabis store locations will be distributed through Whistler with one outlet supported in each of the areas described as a Temporary Use Permit area shown in Schedule 1:

- Function Junction
- Whistler Creek
- Nesters Plaza
- Whistler Village
- Village North

The front entrance of a cannabis retail location must be:

- Further than 750 metres from the front entrance of another cannabis retail location;
- Except in the Village, where the front entrance of any cannabis retail location must be further than 150 metres from the front entrance of another cannabis retail location; and
- Measured in a straight line from the closest part of front entrance to closest part of front entrance.

All cannabis retail stores must comply with the requirements of the *Provincial Cannabis Licensing Regulation*.

## 5.2 APPLICATION EVALUATION CRITERIA

Applications must include a Community Impact Statement describing how the business will address goals and objectives of the OCP, particularly:

- i. Balancing resort and community needs;
  - ii. Provisions for employee housing;
  - iii. Commitment to a Living Wage;
  - iv. Relationships with or support for community organizations;
  - v. Leadership on sustainability and climate action, with additional reference to Whistler's *Climate Action Big Moves Strategy*, and *Zero Waste Action Plan*;
  - vi. Contributions to local economic development and overall character that promote a four-season family-friendly resort destination;
  - vii. Commitment to Whistler's community health and social strategy goals; and
  - viii. Commitments to reconciliation and providing economic opportunities for the the Lil'wat Nation and Squamish Nation.
- a. Business operations and store design should contribute to Whistler's mountain resort character and must comply with applicable bylaws, plans, and policies, including:

- i. Storefront design compliance with relevant OCP Development Permit area guidelines, RMOW Sign Bylaw No. 558, 1987, and the CCLA;
  - ii. Proximity and availability of parking and potential vehicle traffic impacts in compliance with Zoning and Parking Bylaw No. 303, 2015; and
  - iii. Access for pedestrians of all abilities, cyclists, including proximity to public transit.
- b. Council may consider the applicant's security plans and nuisance mitigation plans including:
- i. Security plan and monitoring meeting or exceeding provincial requirements;
  - ii. Impact on visitors and neighbours including odour;
  - iii. The applicant's commitment to abide by the terms of any Good Neighbour Agreement; and
  - iv. The applicant's efforts to inform customers about the Smoking Regulation Bylaw No. 2136, 2017.

### **5.3 APPLICATION REQUIREMENTS**

1. Resources for application submission, including detailed instructions, submission requirements, links to the application forms, and dates of the application intake period will be posted online at [whistler.ca/CannabisRetail](http://whistler.ca/CannabisRetail).
2. Applications will be encouraged to submit during a defined thirty day batch application intake period. Applications made outside of the defined thirty day batch application intake period will be considered by the RMOW at a later date. Each application will be evaluated on its own merits.
3. All applications must include all of the information identified in Schedule 2 (Application Submission Requirements) to be considered complete. Applications can be submitted by email to [planning@whistler.ca](mailto:planning@whistler.ca) or in-person at Municipal Hall.
4. The following applies to application submissions during the defined thirty day batch application intake period:
  - Only one application submission per business/operator per area shown in Schedule 1 will be accepted;
  - An application submission containing more than one application will not be considered and will be disqualified; and,
  - An application submission containing more than one proposed location will not be considered and will be disqualified.
5. Cannabis Retail TUP applications will be reviewed concurrently with the LCRB referral for a CRS licence.
6. Each application will be assessed against the guiding principles, location guidelines and evaluation criteria in sections 4.0, 5.1 and 5.2 of this Policy.
7. Applicants may require other permits such as a Development Permit, Sign Permit and/or Building Permit in addition to a Cannabis Retail TUP.

8. Applicants will also need to apply for and obtain an RMOW business licence after receiving an RMOW Cannabis Retail TUP and provincial CRS license.

#### **5.4 APPLICATION INTAKE AND REVIEW PROCEDURE**

1. Upon the close of the initial 30 day batch application intake period, all complete Cannabis Retail TUP applications will be reviewed.
2. Public notification will be issued per bylaw and statutory requirements and LCRB referral review processes (Schedule 3).
3. All applications will be brought to Council for TUP approval consideration and resolution on the LCRB referral.
4. Council may approve a Cannabis Retail TUP and may resolve to support the LCRB CRS licence referral for each Cannabis Retail TUP that is approved.
5. The LCRB will be notified of the Council resolution for each CRS licence referral.

#### **5.5 TEMPORARY USE PERMIT RENEWAL**

Applicants that have been issued a Cannabis Retail TUP can apply to renew their Cannabis Retail TUP once prior to the end of the first three-year term.

#### **6.0 LIQUOR AND CANNABIS REGULATION BRANCH REFERRALS**

The LCRB is responsible for issuing provincial licences for cannabis retail stores. Cannabis retail establishments must obtain a CRS licence from the LCRB in order to operate. As part of the CRS licence application process, the LCRB provides notice of the CRS application to the local government, and will not issue a provincial licence until a positive recommendation from the local government is received. Local governments that decide to give comments and recommendations must solicit public input on the proposed location of the cannabis business; if the local government is not supportive of the application and does not provide a recommendation that the CRS licence be issued, the LCRB cannot issue the licence and the application process ends. Alternatively, if the local government provides a positive recommendation for the application, the LCRB will review the recommendation, but still maintains discretion whether or not to issue the licence.

The RMOW will only accept CRS licence referrals that are associated with an existing Cannabis Retail TUP application. Once an LCRB referral has been accepted, the RMOW will issue a public notice and collect written comments from residents, as required by s. 13 of the *Cannabis Licensing Regulation*.

The review and approval process for an LCRB CRS license referral will occur concurrently with the RMOW's review process for a Cannabis Retail TUP application. Council will consider written comments with each Cannabis Retail TUP application, and will provide a decision on the application and a resolution on the CRS licence referral.

Schedule 3 includes a flowchart of the CRS licence referral notification, review, and response procedure.

Staff time and notification costs associated with the CRS licence referral will be recovered through the CRS licence referral fee established by bylaw.

## **7.0 COUNCIL DISCRETION**

While this policy intends to establish a framework which applies to all TUP applications for cannabis retail stores if the proposed regulatory approach is established by Council through necessary bylaw amendments, Council maintains full discretion in consideration of applications for a TUP to allow cannabis retail.

## **8.0 AUTHORITY TO ACT**

The legislative framework of the Province of British Columbia, including the *Community Charter*, *LGA*, and the *CCLA*, provides the basis upon which the RMOW may regulate certain locational and other aspects of cannabis retail stores, as well as procedures for assessing and approving business proposals.

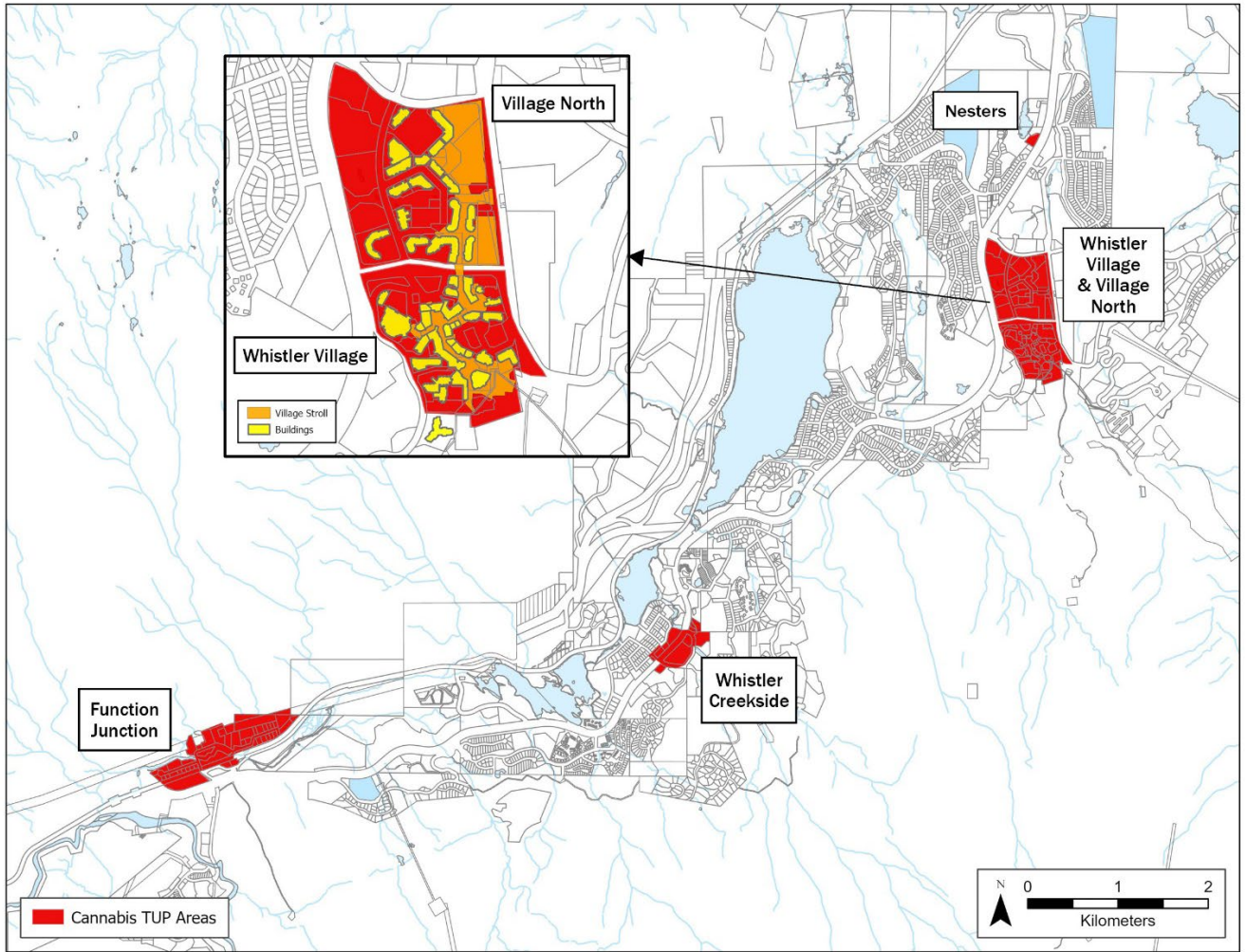
Administration of this policy is the responsibility of the RMOW Planning Department.

Certified Correct:

---

P. Lysaght  
Manager of Legislative Services/Corporate Officer

### Schedule 1: Temporary Use Permit Areas



## Schedule 2: Application Submission Requirements for Cannabis Retail Temporary Use Permit

Submission Requirements	
<b>Name and contact information of applicant(s)</b>	
<b>Application Form</b> A completed Temporary Use Permit application form and application fee, including civic address and legal description of the property where the proposed business is to be located.	
<b>Provincial Referral or Proof of Provincial Application</b> Application submitted to LCRB for municipal review and comment	
<b>Proof of Property Ownership or Interest</b> 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	
<b>Title Search</b> Dated within 30 days of the application.	
<b>Community Impact Statement</b> <ul style="list-style-type: none"> <li>• Must address the guiding principles, location guidelines and evaluation criteria in the Cannabis Retail Policy</li> <li>• Must outline how the business will address the relevant RMOW policies and contribute to Whistler's priorities, goals and vision as outlined in our OCP, including economic, social and environmental impacts the business may have on the surrounding neighbourhood and wider community, and strategies for mitigating potential negative impacts</li> </ul>	
<b>Good Neighbour Agreement</b> Indicating commitment to addressing nuisance issues.	
<b>Business Plan</b> Full description of the proposed business operation, including 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 hours of operation</li> <li>• Any proposed educational initiatives and strategies regarding nuisance, consumption and cannabis-related issues</li> <li>• Insurance coverage information</li> </ul>	
<b>Context Plan</b> Aerial map showing the location of the cannabis retail store and confirmation that the proposed location complies with all locational requirements per this policy and Whistler's Zoning and Parking Bylaw.	
<b>Design proposal</b> Including the following documents: <ul style="list-style-type: none"> <li>• Site Plan</li> <li>• Floor Plans noting all doors, entrances, exits, cash registers, location of fixed shelving or displays and location of all areas open to the public and those designated for staff and storage areas</li> <li>• Security Plan, demonstrating compliance with or exceeding LCRB requirements</li> <li>• Parking plan, if applicable</li> <li>• Odour control plan and store ventilation</li> </ul>	

### Schedule 3: Municipal Review Process for LCRB Cannabis Retail Store Licence Referral

<b>Referral from LCRB</b>	<b>Municipal Review</b>	<b>Public Input</b>	<b>Staff Recommendation</b>	<b>Council Review</b>	<b>Recommendation to LCRB</b>
Confirmation that CRS licence referral corresponds to an existing RMOW Cannabis Retail TUP application	Staff reviews CRS licence referral concurrent with related Cannabis Retail TUP application for compliance with municipal policy and bylaws	Public notification (two consecutive newspaper ads; site sign for 30 days)	Public comments form part of council consideration for Cannabis Retail TUP approval.	Council votes on Cannabis Retail TUP application and resolution to LCRB, with consideration of staff recommendation and public comments.	Staff provides council resolution to LCRB