

Cannabis Retail Strategy

Proposed Work Plan and Draft Framework

December 7, 2021



Purpose

- To provide Council with overview of the recommended approach to permitting and regulating cannabis retail in Whistler
- To seek endorsement of a work program and engagement strategy to bring forward a framework for the regulation of cannabis retail in Whistler, including amendments to the following bylaws:
 - ✓ Zoning and Parking Bylaw No. 303, 2015 (Zoning Bylaw)
 - ✓ Land Use Procedures and Fees Bylaw No. 2019, 2012 (Fees Bylaw)
 - ✓ Business Licence and Regulation Bylaw No. 2253, 2019 (Business Licence Bylaw)

Areas of Responsibility

Federal	Provincial	Local Government
<ul style="list-style-type: none">• Legalization of recreational cannabis• Production - oversight of cultivation, and processing• Product quality, packaging and labelling• Research and testing	<ul style="list-style-type: none">• Wholesale distributor• Licensing authority for retailers• Public health considerations	<ul style="list-style-type: none">• Power to allow or prohibit cannabis retail as a land use• Zoning bylaw – location of stores• Business licencing – Provincial licensing referral review

Background

- Cannabis retail has been prohibited as a use in all zones by the Resort Municipality of Whistler's (RMOW) Zoning Bylaw, and the RMOW has declined to support cannabis retail stores in Whistler
- 2014 Zoning Bylaw amendment to allow one federally-licensed production facility
- Interest in cannabis retail in Whistler well-established
 - ✓ 200+ emails to dedicated inbox
 - ✓ Legal delivery to Whistler from cannabis retail stores in neighbouring municipalities
- Opportunity to ensure community goals and objectives outlined in the OCP are supported

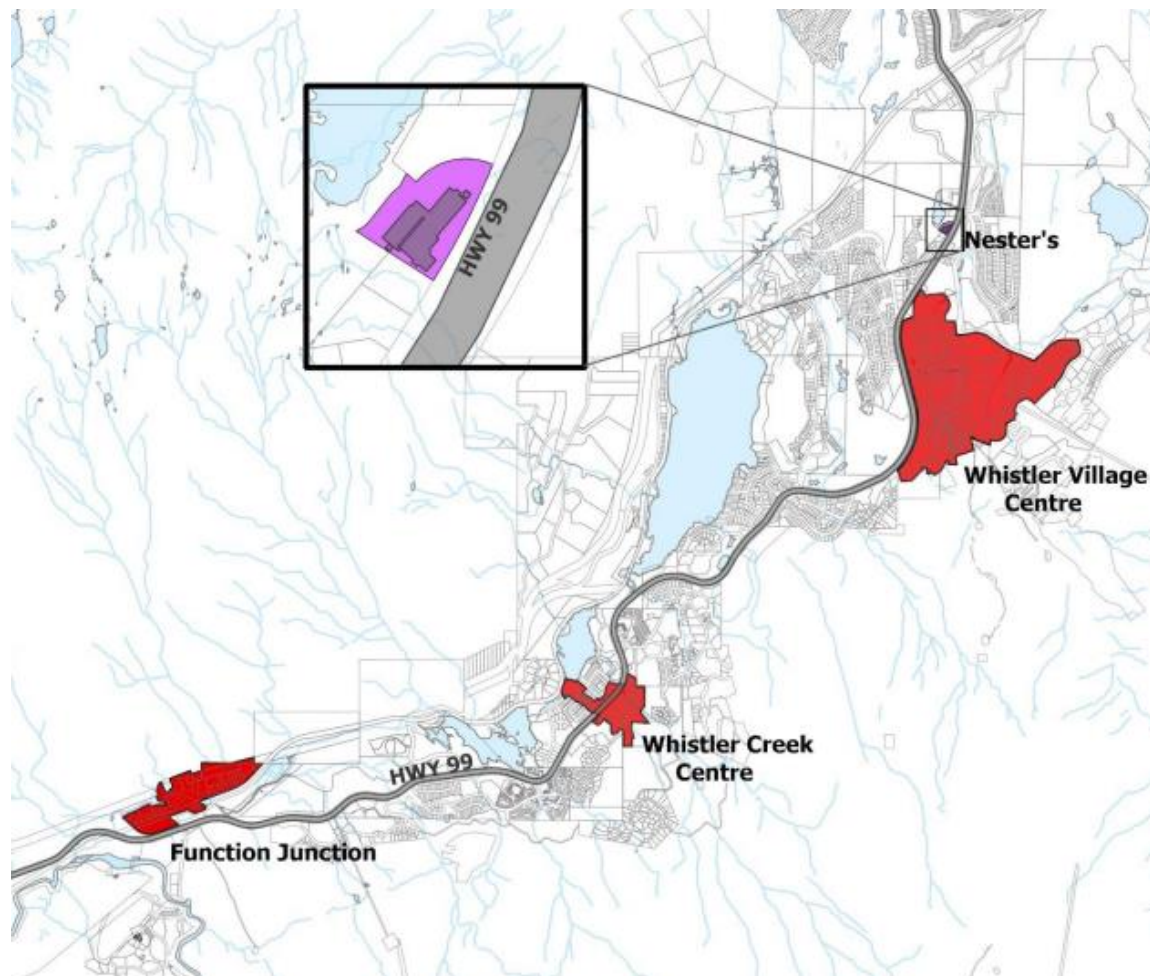
Regulatory Options

Outright zoning	Site-specific rezoning	Temporary Use Permit
<ul style="list-style-type: none"> • Zoning Bylaw amendment: add cannabis retail as an allowable use in select zones • Approvals: Development Permit (if applicable); Business Licence 	<ul style="list-style-type: none"> • Zoning Bylaw amendment: cannabis Retail definition • Approvals: rezoning on a case-by-case basis; Development Permit (if applicable); Business Licence 	<ul style="list-style-type: none"> • Zoning Bylaw amendment: Cannabis Retail definition and TUP Area(s). • Approvals: TUP; Development Permit (if applicable); Business Licence applications.
Opportunities and Limitations		
<ul style="list-style-type: none"> • No discretionary approval • Reliance on any distance rules to prevent proliferation 	<ul style="list-style-type: none"> • Discretionary rezoning approval that aligns with specific community objectives • Site-specific zoning locks in location • Full rezoning process required for each location 	<ul style="list-style-type: none"> • Discretionary TUP approval that aligns with specific community objectives. • TUP permit process provides for expedited approval. • May be approved by Council (or delegated approval), without further bylaws.

Proposed Regulatory Framework

- Temporary Use Permit:
 - ✓ allow a use not permitted by a zoning bylaw
 - ✓ specify conditions under which the temporary use may be carried on
 - ✓ three-year term, renewable once
- RMOW maintains discretion over the approval process and on-going oversight through permit conditions and renewal requirements
 - ✓ TUP approval is discretionary: RMOW retains authority for approval that aligns with specific community objectives.
 - ✓ Once TUP regulations are in Zoning Bylaw, TUP permit process provides for expedited approval. May be approved by Council (or delegated approval), without further bylaws.
- Creates transparent, efficient application and approval process
 - ✓ Provide access while limiting proliferation

Proposed Locations



WHISTLER: A PLACE WHERE OUR COMMUNITY THRIVES, NATURE IS PROTECTED AND GUESTS ARE INSPIRED.

Policy Framework

- Based on relevant OCP goals, objectives and policies
 - ✓ guide review of applications and consistency in decision-making.
- consistent with the community's values and policies expressed in the Official Community Plan including:
 - ✓ enhancing resort experience
 - ✓ balancing community and guest demand with community safety and a family-friendly environment
- Opportunity to implement community goals, objectives, and policies outlined in the OCP, such as:
 - ✓ Health, safety, and community well-being
 - ✓ Resort and community balance
 - ✓ Climate action and sustainability
 - ✓ Reconciliation

Provincial Licensing Authority

- Liquor and Cannabis Regulation Branch (LCRB) licences cannabis retail stores
 - ✓ each application referred to local government for review
 - ✓ Support (positive recommendation) is necessary
- Potential cannabis retail stores must obtain support from both province (LCRB) and local government

Engagement

- Identify community goals and priorities
- Feedback on proposed approach
 - ✓ Public - Community input period
 - ✓ Cannabis industry – open house
 - ✓ Community stakeholder groups – targeted meetings
 - ✓ Squamish Nation and Lil'wat Nation – targeted meetings
- Return to Council in 2022 to share results and draft framework
 - ✓ community priorities, values, and objectives identified and refined during the public input period
 - ✓ application review and approval process
 - ✓ approval of the cannabis retail regulation and bylaw amendments

Recommendation

- **That** Council direct staff to proceed with developing the recommended approach to administer and regulate cannabis retail in Whistler described in Administrative Report 21-137, including a policy framework, a Temporary Use Permit framework, bylaw amendments, and a stakeholder and community engagement strategy.