



RESORT MUNICIPALITY OF WHISTLER

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STAFF REPORT TO COUNCIL

PRESENTED: June 20, 2023 **REPORT:** 23-068
FROM: Planning – Projects **FILE:** 7657.00
SUBJECT: CANNABIS RETAIL TEMPORARY USE PERMITS FOR APPROVAL

RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER

That the recommendation of the General Manager of Climate Action, Planning and Development be endorsed.

RECOMMENDATIONS

That Council authorize approval of Temporary Use Permit (TUP) application TUP00106 for the Retail Sale of Cannabis in the Village Centre Permit Area, for This is Cannabis at #201 A&B, 4293 Mountain Square, for a period of three years, subject to confirmation from the Liquor and Cannabis Regulation Branch (LCRB) of issuance of a Provincial cannabis retail licence and the applicant entering into a Good Neighbour Agreement (GNA) with the Resort Municipality of Whistler (RMOW) which incorporates the applicant's proposed measures to address community considerations as summarized in Table 3 of this Administrative Report 23-068; and

That Council authorize approval of TUP application TUP00114 for the Retail Sale of Cannabis in the Village North Permit Area, for Main Street THC Canada Ltd at #115, 4368 Main Street for a period of three years, subject to confirmation from the LCRB of issuance of a Provincial cannabis retail licence and the applicant entering into a GNA with the RMOW which incorporates the applicant's proposed measures to address community considerations as summarized in Table 8 of this Administrative Report 23-068; and

That Council authorize approval of TUP application TUP00109 for the Retail Sale of Cannabis in the Creekside Permit Area, for Spiritleaf Whistler at #103, 2011 Innsbruck Drive, for a period of three years, subject to confirmation from the LCRB of issuance of a Provincial cannabis retail licence and the applicant entering into a GNA with the RMOW which incorporates the applicant's proposed measures to address community considerations as summarized in Table 11 of this Administrative Report 23-068; and

That Council authorize approval of TUP application TUP00107 for the Retail Sale of Cannabis in the Function Junction Permit Area, for A Little Bud at #1, 1050 Millar Creek Road, for a period of three years, subject to confirmation from the LCRB of issuance of a Provincial cannabis retail licence and the applicant entering into a GNA with the RMOW which incorporates the applicant's proposed measures to address community considerations as summarized in Table 14 of this Administrative Report 23-068; and

That Council direct staff to recommend to the LCRB that a cannabis retail licence be issued to the above four applicants; and

That Council direct that the GNAs for each of the four recommended applications be finalized to the satisfaction of the General Manager of Climate Action, Planning and Development; and

That Council direct staff to recommend to the LCRB that a licence not be issued in the Village Centre Permit Area to Seed and Stone at #4, 4122 Village Green, The Green Pineapple at #7, 4433 Sundial Place, and Inspired Cannabis at #5, 4122 Village Green; and

That Council direct staff to recommend to the LCRB that a licence not be issued in the Village North Permit Area to Mountain High at #211, 4368 Main Street; and

That Council direct staff to recommend to the LCRB that a licence not be issued in the Creekside Permit Area to Creekside Cannabis at #321, 2063 Lake Placid Drive; and further

That Council direct staff to recommend to the LCRB that a licence not be issued in the Function Junction Permit Area to Team Cannabis at #9 and 10, 1100 Millar Creek Road.

PURPOSE OF REPORT

The purpose of the report is to provide Council with an overview of the 10 Temporary Use Permit (TUP) applications for the retail sale of cannabis received during a publicized application intake period and recommendation to authorize approval of four applications, based on an assessment of each application against the Resort Municipality of Whistler's (RMOW) [Council Policy G-27: Cannabis Retail Policy](#) (Cannabis Retail Policy) and relevant bylaws. The report provides an analysis of the location characteristics and applicants' proposed measures to address specified community policy objectives for each application. The proposed measures are recommended to be included as commitments within a Good Neighbor Agreement (GNA) to be entered into with the approved applicants, and subject to annual review. The report also includes written submissions received in response to public notice requirements that were completed.

Information Report

Administrative Report (Decision or Direction)

DISCUSSION

Background

Whistler's Cannabis Retail Policy was adopted by Council on August 2, 2022. The Cannabis Retail Policy outlines Whistler's regulatory approach and establishes principles and evaluation criteria for consideration of TUP applications for cannabis retail stores. Subsequently, staff brought forward ["Zoning Amendment Bylaw \(Cannabis Retail\) No. 2371, 2022"](#), ["Business Licence Amendment Bylaw \(Cannabis Retail\) No. 2373, 2022,"](#) and ["Liquor Licence and Cannabis Retail Licence Application Processing Fee Bylaw No. 2374, 2022"](#) which were adopted by Council.

Whistler's approach to regulating cannabis retail establishes a system that addresses the location and potential number of cannabis retail stores and serves to advance community priorities including health, safety, and community well-being, resort and community balance, climate action and sustainability, and reconciliation. Recognizing the RMOW's limited land supply, growth management policies, and ongoing desire for a diverse and vibrant commercial sector, the Cannabis Retail Policy retains discretionary

approval for each individual cannabis retail application, providing reasonable access while limiting proliferation. This approach enables the RMOW to oversee approval and monitoring of cannabis retail to be thoughtfully integrated within existing land use patterns, consistent with community objectives and land use planning in Whistler, and supportive of the goals, objectives and policies of the Official Community Plan (OCP).

The TUP-based approach balances municipal control over the number of retail stores and location of cannabis retail in our community with efficiency and certainty of approval. A TUP is a municipal approval for a temporary land use that is not a generally permitted land use within the [“Zoning and Parking Bylaw No. 303, 2015”](#) (Zoning Bylaw) or for a particular zone. A TUP may allow commercial or industrial uses in a designated TUP area, and specify conditions under which the temporary use may be carried out. The adopted Council bylaws established TUP regulations for Cannabis Retail Sales, to allow this use subject to specified locational requirements and limits on the number of locations, despite this use generally being prohibited within the RMOW under the Zoning Bylaw. TUPs authorize the specific use for three years and can be renewed once for an additional three years. Once the initial six-year period is up, the RMOW could consider adding cannabis retail as an outright use in certain zones or, through site-specific rezonings to authorize the use permanently, or could consider an application for a new TUP. This allows the RMOW to maintain discretion over the approval process and a degree of on-going oversight through permit conditions and renewal requirements.

The locational requirements establish five TUP areas (Village Centre, Village North, Creekside, Function Junction and Nesters Plaza) where the retail sale of cannabis may be allowed in Whistler; specify that no more than one Cannabis Retail Sales TUP may be approved in each cannabis retail TUP area; restrict cannabis retail from fronting on the Village Stroll, and establish a minimum distance of 300 metres between cannabis retail stores and schools and the Meadow Park Recreation Centre. These bylaw requirements and Policy guidelines were established to provide reasonable access to cannabis while limiting proliferation, and to maintain the family-friendly character of Whistler’s commercial nodes and to further community priorities including health, safety, and community well-being, resort and community balance, First Nations reconciliation and economic opportunities.

Application Process

An application intake period was established from February 13 to March 13, 2023, and advertised via email outreach, on the RMOW website, and through advertisements placed in the *Pique*. The intake period was set up to ensure RMOW resources are used in an efficient and effective manner given the anticipated interest in cannabis retail in Whistler. This provided for an equitable approach for consideration of applications and their merits for the limited number of locations potentially permitted under the adopted bylaws.

TUP Applications

During the intake period, 10 cannabis retail TUP applications were received in four of the TUP areas: four applications in the Village Centre TUP area, two in the Village North TUP area, two in the Creekside TUP area, and two in the Function Junction TUP area. No applications were received in the Nesters Plaza TUP area. The applications are referenced in Table 1 below. Appendix A provides an overview map of the proposed locations. Application submissions, including the Community Impact Statement (CIS) for each application are included in the appendices for each of the 10 applications, respectively. The CIS provides the applicant’s proposed measures for addressing specified community policy objectives established as evaluation criteria.

All applications meet the locational requirements established by bylaw and included as guidelines in the Cannabis Retail Policy.

Consistent with legislative requirements, Public Notice was distributed to adjacent properties for each of the applications. Submissions received in response to the public notices are included as Appendix B and are summarized where relative for each application, and then generally in the Community Engagement section of this report.

Commitment to First Nations Reconciliation and Economic Opportunities

The Cannabis Retail Policy evaluation criteria includes assessing each applicant's commitment to reconciliation and providing economic opportunities for the Lílwat Nation and Squamish Nation, which is a policy objective of the RMOW's OCP. While no application was received from a business owned by or partnered with the Squamish Nation or Lílwat Nation, each applicant addressed this in their CIS. Any offered involvement, donations, or support would be subject to the First Nations endorsing any such donations. The cannabis retail TUP notification, which included links to the individual application submissions including proposed commitments was referred through the Squamish Nation and Lílwat Nation referral portals which they have established for such purposes. No response had been received at the time this report was finalized.

Many applicants have proposed to make financial donations to the Squamish Lílwat Cultural Centre (SLCC), often as a percentage of store profit or gross revenue. Some applicants have committed to providing cultural competency training for staff, to include territorial acknowledgments in-store and in promotional and other material.

To create economic opportunity for Squamish Nation and Lílwat Nation members, several applicants have suggested to commission and/or display art in their stores or to prioritize hiring Squamish Nation and Lílwat Nation staff.

A few applicants suggested making financial donations directly to the Squamish Nation and Lílwat Nation, or providing assistance for specific programming. In these cases, such offerings would be subject to the Squamish Nation and/or Lílwat Nation being supportive of considering these contributions.

The proposed measures of each applicant are summarized in the Analysis section of this report and are contained within the application submissions included in the appendices F-O to this report.

Provincial Approval Requirement

In addition to municipal approvals, cannabis retail stores in BC must obtain a non-medical cannabis retail store licence from the provincial Liquor and Cannabis Regulation Branch (LCRB). As part of the provincial application review process, the LCRB undertakes a security screening and financial integrity check of every applicant, and notifies the relevant local government of the application.

In cases where issuing a licence may affect nearby residents, the LCRB requires that a local government gather the views of residents on the proposed location of the cannabis business, and convey any comments received to the LCRB along with either a positive recommendation (to approve the license) or a negative recommendation (to not approve the licence). The public notice conducted as part of the TUP application process addresses these requirements, along with the recommended Council resolutions.

The LCRB maintains discretion to approve or deny a licence based on their review but will not issue a licence without a positive recommendation from the local government.

Table 1. Cannabis Retail TUP applications received during application intake period

Application	Store Name	Address	TUP Area
TUP00106	This is Cannabis	#201 A&B – 4293 Mountain Square	Village Centre
TUP00107	A Little Bud	#1 - 1050 Millar Creek Road	Function Junction
TUP00108	The Green Pineapple	#7 – 4433 Sundial Place	Village Centre
TUP00109	Spiritleaf Whistler	#103 - 2011 Innsbruck Drive	Creekside
TUP00110	Seed and Stone	#4 – 4122 Village Green	Village Centre
TUP00111	Team Cannabis Ltd.	#9 & 10 – 1100 Millar Creek Road	Function Junction
TUP00112	Creekside Cannabis	#321 – 2063 Lake Placid Dr	Creekside
TUP00113	Inspired Cannabis Co.	#5 – 4122 Village Green	Village Centre
TUP00114	Main Street THC Canada Ltd.	#115 – 4368 Main St	Village North
TUP00115*	Mountain High	#211-4368 Main St	Village North

*TUP00115 was submitted after the close of the application intake period.

Appendix A presents an overview map of the proposed location of each application.

Analysis

This section presents staff’s assessment of each of the 10 applications and recommendations for TUP approval for each of the established TUP areas. The analysis and recommendations are organized by TUP area. A summary of each application is presented first, including a location description, followed by a summary of the applicant’s proposed measures to address specified community policy objectives, referred to as the CIS in the application submittal materials. These are then assessed for each application in relation to the evaluation criteria established in the Cannabis Retail Policy, which were drawn from the goals, objectives and policies of the OCP. As outlined in the Cannabis Retail Policy, the evaluation criteria are:

- Balancing resort and community needs;
- Provisions for employee housing;
- Commitment to a Living Wage;
- Relationships with or support for community organizations;
- Leadership on sustainability and climate action, with additional reference to Whistler’s Climate Action Big Moves Strategy, and Zero Waste Action Plan;
- Contributions to local economic development and overall character that promote a four-season family-friendly resort destination;
- Commitment to Whistler’s community health and social strategy goals; and
- Commitments to reconciliation and providing economic opportunities for the Lílwat Nation and Squamish Nation.

The assessment of each application was summarized based on the rating system as presented in Table 2. Based on this analysis, and the details of each application, recommendations are then made for each TUP area.

The [RMOW Living Wage Study](#) established a living wage of \$22.52 per hour in 2019. Living Wages for Families BC, a program of the Vancity Community Foundation that certifies living wage employers, applies a living wage of \$24.08 per hour in the Sea to Sky region.

Each criterion was assigned one of three values:

Table 2. Evaluation Summary Ratings

Value	Interpretation
✓	Meets the criterion
Partial	Meets some aspects of the criterion
X	Does not meet the criterion

As part of the assessment, the applications were also reviewed with the Whistler detachment of the Royal Canadian Mounted Police. Overall the RCMP expressed no general concerns with Cannabis Retail Sales, and provided input into considerations related to visual patrol, safety and management of the use in relation to adjacent uses. From a safety and policing perspective, the RCMP suggest that more visible, at-grade locations are preferable as they are easier to patrol and observe.

Village Centre TUP Applications

The RMOW received four cannabis retail TUP applications in Village Centre as shown in Figure 1. Each application is presented followed by Village Centre TUP Area recommendations. An Application Table can be found in Appendix C and an Evaluation Summary of the Table of Applicants can be found in Appendix D attached to this report.

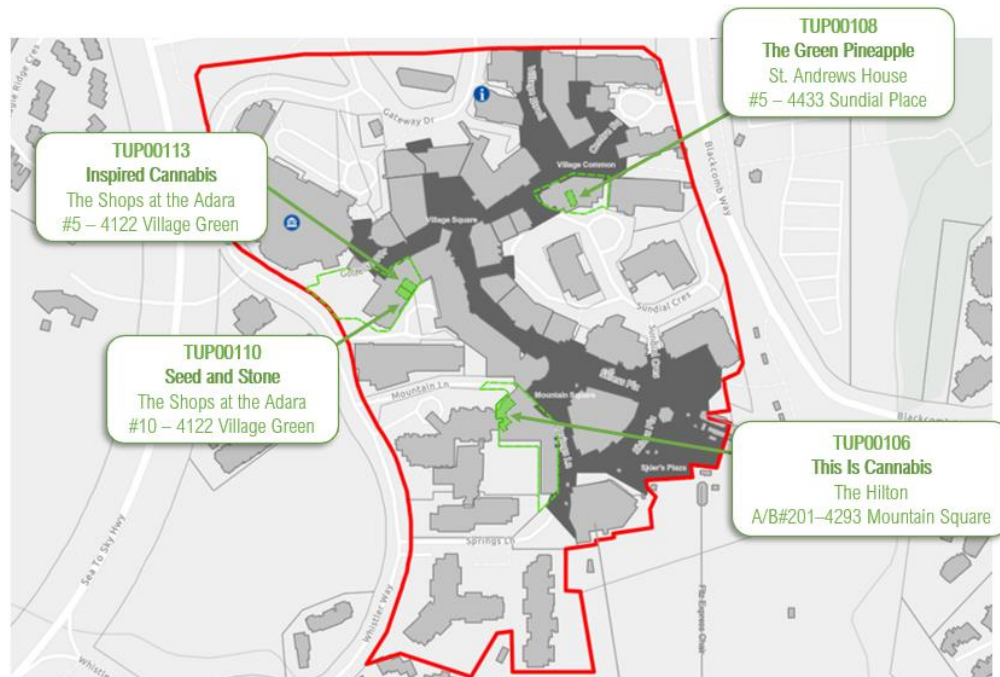


Figure 11: Village Centre Cannabis Retail TUP Area Applications

1. TUP00106: #201 A&B – 4293 Mountain Square (Shops at The Hilton) ‘This is Cannabis’

Location Analysis

The proposed location is a ground floor commercial unit in the shopping area at the Hilton, adjacent to Mountain Square in Village Centre. The unit is adjacent to restaurants and retail stores, and would occupy 134 m² (1,442 sq. ft.) of retail floor area. The applicant proposes store hours of 9 a.m. to 11 p.m. (the maximum hours permitted by the LCRB) and anticipates a staff of eight.

The subject site is a Commercial Retail Unit (CRU) located off of the eastern side of Mountain Square with access to the Village Stroll. The property is zoned [CC1 \(Commercial Core One\)](#) and is located in the Whistler Village Development Permit Area (DPA). The CRU was previously divided to separate sections, with frontage on Mountain Square cut off by section C (not included in the application), creating the interior A/B unit with no frontage on the Village Stroll or Mountain Square. The entrance is located via a public access hallway that opens to Mountain Square and to the open-air corridor of the internal Hilton shopping area. The immediate area includes Mountain Square which contains a mix of visitor-oriented accommodations, public space, dining, shopping uses and recreation uses.

The location is off the Village Stroll, providing access to cannabis retail in Village Centre without being seen from gathering places near the gondola and natural areas of congregation such as the public seating in the square. The unit is removed from, but close enough to, public areas that activity around the storefront is in view of people nearby.

There are some nearby uses that serve families and youth, including a children’s clothing store and an indoor recreation business sharing the same corridor access. The storefront is removed from these adjacent uses in a way that families with children do not need to pass by the storefront to access the adjacent uses. Provincial regulations prohibit cannabis products and advertisement for cannabis products to be visible from the exterior, and minors are not permitted to enter cannabis retail stores.

The storefront design, including signage would be regulated through the permitting and licence process and is subject to the Whistler Village DPA Guidelines.

Application materials for This is Cannabis can be found in Appendix E.

Community Impact Statement

The applicant has proposed measures to address community policy objectives within the CIS part of their application. These are summarized in Table 3 below, and reflect commitments made by the applicant for consideration of their application.

Table 3. TUP00106 ‘This is Cannabis’ Community Impact Statement Commitments

Commitment to Living Wage	Starting wage of \$20 per hour, with commitment to an average wage of \$24/hour plus benefits, which meets the Living Wage target for Whistler.
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	Benchmarked with wage structure established by Vail - applicant will follow Vail's wage structure and implement future wage raises that Vail sets.
Provisions for employee housing	Commitment to securing housing for staff and using the Whistler Housing Authority (WHA) formula to set rent at 30 per cent of gross income (which is in alignment with Council Policy K-01). In addition, one per cent of top-line revenue will be used to subsidize employee housing expenses.
Commitment to reconciliation	Will offer an annual distribution equal to two per cent of top-line revenue annually through the Squamish Nation and Lílwat Nation development corporations. Will establish a \$50,000 scholarship program to Capilano University for indigenous applicants with preference for applicants from the Squamish Nation and Lílwat Nation.
Relationship with community organizations	Commit to being a Blue Sponsor for the Whistler Community Services Society (WCSS), contributing \$5,000 annually plus one per cent of top-line revenues. \$1,000 annually to each of Association of Whistler Area Residents for the Environment (AWARE) and Whistler Off Road Cycling Association.
Leadership on sustainability	All deliveries will be made by e-bike or walking. Will partner with EcoAction Recycling to recycle cannabis packaging in-store.
Security and nuisance mitigation	Unit will feature a three-step HEPA air filtration system to mitigate odour. Will post educational material about " Smoking Regulation Bylaw No. 2136, 2017 " (Whistler's Smoking Regulation Bylaw). Specific commitments to a security system that exceeds LCRB requirements, including motion sensor cameras, steel bars on all windows, and panic buttons at payment terminals.

In response to the Public Notice, three written submissions (presented in Appendix B) were received opposing a cannabis retail sales store in this location. Comments suggest that:

- The proposed location is too close to the WB ski school drop-off;
- Cannabis retail is incompatible with adjacent land uses including restaurant patios, indoor recreation, and a children's clothing store; and
- A store in this location may increase visible cannabis use in public.

Staff note that this location meets the locational requirements established for cannabis retail stores in the Zoning Bylaw. Whistler's Smoking Regulation Bylaw prohibits smoking within 10 metres of the perimeter of an outdoor customer service area, within 10 metres below any opening into a building, and in all public plaza areas including the Village Stroll.

2. TUP00108: #5-4433 Sundial Place 'The Green Pineapple'

Location Analysis

This location is on the ground level and south side of St. Andrews House facing and set back from the adjacent Sundial Place. It is around the corner from a retail store and adjacent to the service entrance for the building. The store would occupy approximately 50.5 m² (544 sq. ft.) of retail floor area. The floor plan identifies locations for displays, a service area, an accessible washroom, a

storage room and an office/staff room. The proposed store hours are 9:00 a.m. to 11:00 p.m., seven days a week, which are the earliest and latest hours permitted by the LCRB. The applicant anticipates employing six to eight people.

The subject site, St. Andrews House, is a two-storey mixed use building located on the north side of Sundial Place where it connects to Village Lane. The Village Stroll is located on the north side of St. Andrew House and is connected to Sundial Place via St. Andrews Alley which runs along the westside of the building. The property is zoned [CC1 \(Commercial Core One\)](#) and is located in the Whistler Village DPA. The immediate area contains commercial retail, an operation loading bay with a roll up door, building exit and public open space with landscaping, bike racks and a seating area.

The location is set back and not visible from the Village Stroll. The store fronts onto an area in the Village that interfaces with service access for nearby businesses operations. It is accessible from the Village Stroll with a tucked away storefront that still has a high degree of visibility from the street.

The storefront design, including signage would be regulated through the permitting and licence process and is subject to the Whistler Village DPA Guidelines.

Application materials for The Green Pineapple can be found in Appendix F.

Community Impact Statement

The applicant has proposed measures to address community policy objectives within the CIS part of their application. These are summarized in Table 4 below, and reflect commitments made by the applicant for consideration of their application.

Table 4: TUP00108 ‘The Green Pineapple’ Community Impact Statement Comments

Commitment to Living Wage	Wages between \$20.05-\$27.45/hour.
Provisions for employee housing	Committed to help staff find housing and support applications for WHA housing.
Commitment to reconciliation	Maintain membership with the SLCC, including membership for all full-time staff. Provide Indigenous awareness training for staff. Prioritize hiring Indigenous staff. Propose to showcase local indigenous artists in-store. Commitment to Frog Allyship at the SLCC (\$3,000 annual contribution).
Relationship with community organizations	Annual donation of \$3,000 to WCSS in support of their Healthy Choices program, Harm Reduction training, and their collaboration with the YMCA’s Youth Cannabis Awareness Program (YCAP).
Leadership on sustainability	Will prioritize e-bike and foot delivery, and will explore purchasing an electric vehicle in future if delivery becomes a significant part of the business model.
Security and nuisance mitigation	Post educational material about Whistler’s Smoking Regulation Bylaw. Security system exceeding LCRB requirements.

No comments specific to TUP00108 were received in response to the Public Notice.

3. TUP00110: #4 – 4122 Village Green ‘Seed & Stone’

Location Analysis

The proposed location is a ground-level interior commercial unit in the Adara Hotel. The unit is accessed from an open-air public corridor connecting the hallway, interior units and shared washrooms to the upstairs landing in the lobby of the Adara Hotel. The unit is adjacent to a vacant CRU and a business space used to support front of house operations for restaurants across the hall that front onto Village Stroll. The store would occupy approximately 41 m² (441 sq. ft.) of retail floor area. The floor plan identifies displays, service areas and storage. The proposed store hours are 9:00 a.m. to 11:00 p.m., seven days a week, which are the earliest and latest hours permitted by the LCRB. The applicant anticipated employing up to 12 staff. This applicant initially proposed a unit that did have frontage on the Village Stroll. They modified their application after the close of the application intake period to comply with the locational requirements in the Zoning Bylaw and Cannabis Retail Policy.

The subject site is a three-storey hotel on the northwest side of the Village Green loop with ground floor retail space fronting on to the area of the Village Stroll known as Golfers Approach and adjacent to the Whistler Conference Centre. The property is zoned [CC1 \(Commercial Core One\)](#) and is in Whistler Village DPA. The immediate area contains the interior shopping area of the Adara Hotel which is an out of sight interior location with low visibility from the surrounding area. The hallway is accessible through the main floor outdoor commercial area raised above the Village Stroll by a few steps or access ramp. The outdoor commercial area includes restaurants, retail and personal service businesses that front onto the Village Stroll.

The unit conforms with location requirements and business security requirements. The storefront is a discreet interior location with poor visibility from the exterior. The surrounding area contains several late-night licensed establishments and take-out restaurants and is often congested in the evenings with patrons accessing or exiting nearby establishments.

The storefront design, including signage would be regulated through the permitting and licence process and is subject to the Whistler Village DPA Guidelines.

Application materials for Seed & Stone can be found in Appendix G.

Community Impact Statement

The applicant has proposed measures to address community policy objectives within the CIS part of their application. These are summarized in Table 5 below, and reflect commitments made by the applicant for consideration of their application.

Table 5. TUP00110 ‘Seed & Stone’ Community Impact Statement Commitments

Commitment to Living Wage	Wage of \$20.00/hour with a range up to \$26/hour plus extended health benefits.
Provisions for employee housing	Will consider a housing allowance for staff of up to \$1/hour.
Commitment to reconciliation	Will donate five per cent of revenue split between the SLCC and Whistler Blackcomb Foundation. Will prioritize hiring Squamish Nation and Lilwat Nation members.

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	Will create a training program for local First Nations people interested in the cannabis retail industry.
Relationship with community organizations	Will donate five per cent of revenue split between the SLCC and Whistler Blackcomb Foundation.
Leadership on sustainability	Will explore electric delivery vehicle options. Will implement an instore waste diversion program and provide training for staff. Will encourage employees to use sustainable modes of transportation such as biking, walking, and carpooling. Will undertake regular community clean-up initiatives.
Security and nuisance mitigation	Will install carbon air filtration system to mitigate odour. Will post information and inform customers about Whistler's Smoking Regulation Bylaw.

No comments specific to TUP00110 were received in response to the Public Notice.

4. TUP00113: #5 – 4122 Village Green 'Inspired Cannabis Co.'

Location Analysis

The proposed location is a ground level interior unit in the Adara Hotel. It is accessed from open air corridor connecting the hallway, interior units and shared washrooms to the upstairs landing in the lobby of the Adara Hotel. The store would occupy approximately 39 m² (420 sq. ft.) of retail floor area. The proposed business is adjacent to a vacant CRU and business space used to support front of house operations for restaurants across the hall that front onto the Village Stroll. The floor plan identifies displays, service areas and storage. The proposed store hours are 9:00 a.m. to 11:00 p.m., seven days a week, which is the maximum opening times permitted by the LCRB. The applicant anticipates employing between seven and 15 staff.

The subject site is in the Adara Hotel shops, on the northwest side of the Village Green loop with ground floor retail space fronting on to the area of the Village Stroll known as Golfers Approach. The property is zoned [CC1 \(Commercial Core One\)](#) and is in Whistler Village DPA. The immediate area contains the interior hallway including shared washrooms and with the units across the hall facing the Village Stroll. The unit is in an enclosed and out of sight location with low visibility from the surrounding area. The hallway is accessible through the main floor outdoor commercial area raised above the Village Stroll by a few steps or access ramp. The outdoor commercial area includes restaurants, retail and personal service businesses that front onto Village Stroll.

The unit conforms with location requirements and business security requirements. It is a discreet interior location with poor visibility from the exterior. The surrounding area contains several licensed establishments and take-out restaurants that are open late and is often congested with a late-night crowd coming and going from nearby establishments.

The storefront design, including signage would be regulated through the permitting and licence process and is subject to the Whistler Village DPA Guidelines.

Application materials for Inspired Cannabis Co. can be found in Appendix H.

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Community Impact Statement

The applicant has proposed measures to address community policy objectives within the CIS part of their application. These are summarized in Table 6 below, and reflect commitments made by the applicant for consideration of their application.

Table 6. TUP00113 ‘Inspired Cannabis Co.’ Community Impact Statement Commitments

Commitment to Living Wage	Wages between \$26-\$35/hour including tips and extended benefits. Applicant is working towards becoming a Living Wage-certified employer.
Provisions for employee housing	Will secure subsidized housing for staff or provide stipend of \$500 month towards housing.
Commitment to reconciliation	Will donate two per cent of revenue to the SLCC. Will provide cultural competency training for staff. Will have a land acknowledgement statement in-store and maintain an Indigenous engagement policy that supports Indigenous employment, use of Indigenous suppliers, training and support programs and other practical Indigenous engagement measures with Squamish Nation and Lílwat Nation.
Relationship with community organizations	Committed to annual financial and time donations to local organizations such WCSS, Whistler Community Foundation, Zero Ceiling, Whistler Adaptive Sports, Community Foundation of Whistler and the SLCC.
Leadership on sustainability	Will provide instore recycling and waste diversion program. Will seek to use local suppliers and locally sourced materials whenever possible.
Security and nuisance mitigation	Will install a ventilation and filtration system to mitigate odour. Will include Whistler’s Smoking Regulation Bylaw in staff onboarding. Security system exceeds the requirements set by the LCRB.

In response to the Public Notice, 10 written submissions offering support for this application were received. Submissions spoke favourably due to existing familiarity with the applicant. No comments opposing this applicant were received. Those written submissions are included in Appendix B.

Village Centre TUP Area Application Evaluation

A detailed evaluation of each application against the evaluation criteria contained in the Cannabis Retail Policy has been completed and is presented in Appendix D. The evaluation summary is based off the Application Evaluation Table found in Appendix B. Table 7 provides an overview summary of the evaluation review for each of the application submissions for the Village Centre Permit Area using the rating system presented in Table 2 above.

Table 7. Village Centre Application Evaluation Summary Table

Evaluation Criteria		TUP00106	TUP00108	TUP00110	TUP00113
<i>i</i>	Balancing resort and community needs	Partial	Partial	Partial	✓
<i>ii</i>	Provisions for employee housing	✓	Partial	✘	✓
<i>iii</i>	Commitment to a Living Wage	✓	Partial	Partial	✓
<i>iv</i>	Relationships with or support for community organizations	✓	✓	✓	Partial
<i>v</i>	Leadership on sustainability and climate action, with additional reference to Whistler’s Climate Action Big Moves Strategy, and Zero Waste Action Plan	✓	Partial	Partial	Partial

vi	Contributions to local economic development and overall character that promote a four-season family-friendly resort destination	Partial	Partial	Partial	Partial
vii	Commitment to Whistler's community health and social strategy goals	Partial	Partial	Partial	Partial
viii	Commitments to reconciliation and providing economic opportunities for the Lílwat Nation and Squamish Nation	✓	✓	✓	✓
Business operations and store design should contribute to Whistler's mountain resort character and must comply with applicable bylaws, plans, and policies, including:					
a.i	Storefront design compliance with relevant OCP Development Permit area guidelines, RMOW Sign Bylaw No. 558, 1987, and the CCLA	✓	✓	✓	✓
a.ii	Proximity and availability of parking and potential vehicle traffic impacts in compliance with Zoning and Parking Bylaw No. 303, 2015	✓	✓	✓	✓
a.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:					
b.i	Security plan and monitoring meeting or exceeding provincial requirements	✓	✓	✓	✓
b.ii	Impact on visitors and neighbours including odour	✓	✓	✓	✓
b.iii	The applicant's commitment to abide by the terms of any Good Neighbour Agreement	✓	✓	✓	✓
b.iv	The applicant's efforts to inform customers about the Smoking Regulation Bylaw No. 2136, 2017	✓	Partial	✓	✓

Village North TUP Area Applications

The RMOW received two cannabis retail TUP applications in Village North as shown in Figure 2. Each application is presented followed by Village North TUP Area recommendations. An Application Evaluation Table can be found in Appendix C and an Evaluation Summary of table of Applicants can be found in Appendix D attached to this report.

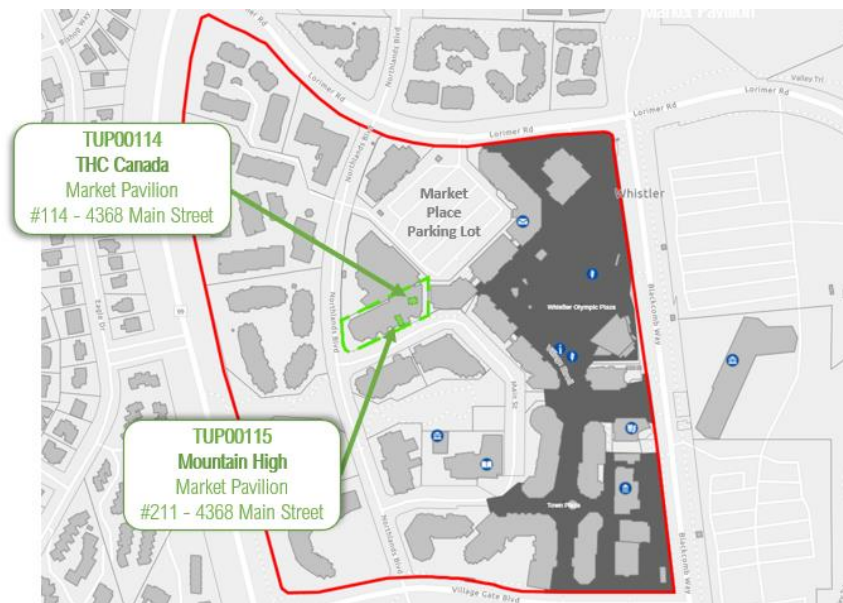


Figure 22: Village North TUP Area Applications

5. TUP00114: #115–4368 Main Street (Market Pavilion) ‘Main Street THC Canada Ltd’

Location Analysis

The proposed location is on the ground level of the Market Pavilion building adjacent to the angled surface parking on Main Street. The unit is flanked by a café on one side and takeout restaurant on the other. The retail floor area is 36.4 m² (392 sq. ft.). The floor plan identifies a front entry area with seating, displays, service area, storage and staff area. Store hours are proposed to be Sunday to Thursday from 10:00 a.m. to 10:00 p.m., and Friday to Saturday from 10:00 a.m. to 11:00 p.m. in the winter and summer with the closing time an hour earlier in the spring and fall. The applicant anticipates fluctuating staffing levels from 10 in the high season to seven in the shoulder season.

The property is zoned [CR1 \(Commercial Residential One\)](#) and is in the Whistler Village DPA. The unit is accessible via an exterior at grade door on the public walkway with short-stay parking located directly in front of the unit. The immediate area includes commercial retail, outdoor patios and public spaces.

The unit is located off of the Village Stroll in a busy commercial area, with good visibility from Main Street.

The storefront design, including signage would be regulated through the permitting and licence process and is subject to the Whistler Village DPA Guidelines.

Application materials for Main Street THC Canada Ltd can be found in Appendix I.

Community Impact Statement

The applicant has proposed measures to address community policy objectives within the CIS part of their application. These are summarized in Table 8 below, and reflect commitments made by the applicant for consideration of their application.

Table 8. TUP00114 ‘Main Street THC Canada Ltd’ Community Impact Statement Commitments

Commitment to Living Wage	Wages between \$27-\$38/hour plus extended benefits and opportunities for bonuses.
Provisions for employee housing	The business will budget \$5,500/month for a long-term lease for employee housing or will provide a housing stipend of \$500/month for employees. Applicant will hire a property management company to help employees find housing.
Commitment to reconciliation	Commitment to donate two per cent of gross revenue annually to the SLCC or to the Squamish Nation and Lílwat Nation, should they be interested. Provide SLCC passes for staff use. Include a land acknowledgement in-store, in all meetings, and in all written and digital communications. Provide cultural competency training for staff. Will encourage employment opportunities for Squamish Nation and Lílwat Nation members seeking roles in the cannabis industry.

	Will engage a consultant to help develop Indigenous outreach strategy.
Relationship with community organizations	Commitment to community organizations: <ul style="list-style-type: none"> • \$2,500 annual donations to WCCS, Chamber of Commerce, and Whistler Animals Galore. • 140 hours of paid time for staff to engage in community volunteer opportunities.
Leadership on sustainability	Will use electric bicycles and electric and hybrid vehicles for delivery. Implement best practices to minimize operational waste. Provide an in-store waste diversion program to divert cannabis waste. Use local and sustainable materials and suppliers in store design and business operations.
Security and nuisance mitigation	Post educational signage in multiple languages, including information on Whistler’s Smoking Regulation Bylaw. Mitigate odours by installing and maintaining a high performance air filtration system. Security system exceeds LCRB requirements.

In response to the Public Notice, staff received nine written submissions opposing cannabis retail in this location, and five supportive submissions. Concerns include:

- Potential for noise and disturbance, particularly in the evening;
- Visibility of the location;
- Possibility that it would be visible to children and tourists;
- Proximity to a children’s clothing store;
- Potential displacement of the business currently operating in this location; and
- Concern about potential insurance implications for the building.

Staff note that the proposed location meets Whistler’s locational requirements and guidelines for cannabis retail. The location was reviewed by the RCMP, who did not identify any concerns.

Supportive comments suggest that the business will be a positive addition to the retail offerings in this area, and familiarity with the applicant. Those written submissions are included in Appendix B.

6. TUP00115: #211–4368 Main Street (Market Pavilion) ‘Mountain High’

Locational Analysis

The proposed location is a CRU located on the second floor of Market Pavilion, adjacent to an optometrist and to the interior stairway. The store would occupy approximately 54 m² (581 sq. ft.) of retail floor area. The floor plan identifies locations for displays, service area. The proposed store hours are 9:00 a.m. to 11:00 p.m. seven days a week, the maximum permitted by the LCRB, and anticipates a staff of six.

The property is zoned [CR1 \(Commercial Residential One\)](#) and is in the Whistler Village DPA. The unit is located on an interior hallway which can be accessed by two exterior entrances located on the second floor, and via the interior elevator and stairway access. The storefront faces the interior hallways and is not visible from outside.

This application was received after the close of the application intake period. The submission was found to be incomplete, and at the time this report was finalized, the applicant has not provided all documents and information required to complete the application.

The location conforms with the requirements in the Zoning Bylaw but the interior unit provides less visibility from the street and nearby area providing a lower degree of surveillance and visibility.

The storefront design, including signage would be regulated through the permitting and licence process and is subject to the Whistler Village DPA Guidelines.

Application materials for Mountain High can be found in Appendix J.

Community Impact Statement

The applicant has proposed measures to address community policy objectives within the CIS part of their application. These are summarized in Table 9 below, and reflect commitments made by the applicant for consideration of their application.

Table 9. TUP00115 ‘Mountain High’ Community Impact Statement Commitments

Commitment to Living Wage	Starting wage of \$20/hour.
Provisions for employee housing	Explore contributions to employee housing.
Commitment to reconciliation	Explore donating a percentage of profits to the Squamish Nation and Lílwat Nation. Explore creating a six-week paid internship program with accommodation for Squamish Nation and Lílwat Nation members.
Relationship with community organizations	Plan monthly contributions to WCSS foodbank. Support staff involvement with local charity initiatives, such as Search and Rescue, toy drive, and cleanup day).
Leadership on sustainability	In-store recycling or signage to the nearest street unit so customers do not litter. Implementing best practices to minimize carbon footprint.
Security and nuisance mitigation	Provide education to customers about Whistler’s Smoking Regulation Bylaw.

Three comments supportive of this application were received during the notification period, suggesting that an above grade location would be preferable as the visibility is lower. No comments opposing this applicant were received. Those written submissions are included in Appendix B.

Village North TUP Area Application Evaluation

A detailed evaluation of each application against the evaluation criteria contained in the Cannabis Retail Policy has been completed and is presented in Appendix D. The evaluation criteria is based off the Application Evaluation Tables in Appendix G. Table 10 provides an overview summary of the evaluation review for each of the application submissions for the Village North Permit Area using the rating system presented in Table 2 above.

Table 10: Village North Application Evaluation Summary Table

Evaluation Criteria		TUP00114	TUP00115
<i>i</i>	Balancing resort and community needs	✓	Partial
<i>ii</i>	Provisions for employee housing	✓	✘
<i>iii</i>	Commitment to a Living Wage	✓	Partial
<i>iv</i>	Relationships with or support for community organizations	✓	Partial
<i>v</i>	Leadership on sustainability and climate action, with additional reference to Whistler's Climate Action Big Moves Strategy, and Zero Waste Action Plan	✓	Partial
<i>vi</i>	Contributions to local economic development and overall character that promote a four-season family-friendly resort destination	✓	Partial
<i>vii</i>	Commitment to Whistler's community health and social strategy goals	Partial	Partial
<i>viii</i>	Commitments to reconciliation and providing economic opportunities for the Lílwat Nation and Squamish Nation	✓	Partial
a. Business operations and store design should contribute to Whistler's mountain resort character and must comply with applicable bylaws, plans, and policies, including:			
a.i	Storefront design compliance with relevant OCP Development Permit area guidelines, RMOV Sign Bylaw No. 558, 1987, and the CCLA	Partial	✓
a.ii	Proximity and availability of parking and potential vehicle traffic impacts in compliance with Zoning and Parking Bylaw No. 303, 2015	✓	✓
a.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:			
b.i	Security plan and monitoring meeting or exceeding provincial requirements	✓	✓
b.ii	Impact on visitors and neighbours including odour	✓	✓
b.iii	The applicant's commitment to abide by the terms of any Good Neighbour Agreement	✓	✓

Creekside Applications

The RMOV received two cannabis retail TUP applications in Creekside as shown in Figure 3. Each application is presented followed by Creekside TUP Area recommendations. An Application Evaluation Table can be found in Appendix C and an Evaluation Summary of table of Applicants can be found in Appendix D attached to this report.



Figure 33: Creekside TUP Area Applications

7. TUP00109: #103–2011 Innsbruck Drive ‘Spiritleaf Whistler’

Location Analysis

The proposed location on the ground level in the Gateway Building. It is adjacent to existing commercial convenience retail, including a small restaurant and sandwich shop. The store would occupy approximately 145 m² (1,561 sq. ft.) of retail floor area. The floor plan identifies locations for displays, a service area, a staff washroom, a storage room, and an office/staff room. The proposed store hours are 9:00 a.m. to 10:00 p.m., Monday to Sunday and 10:00 a.m. to 8:00 p.m. on Sundays, which is shorter than the maximum hours permitted by the LCRB. The applicant anticipates employing seven full-time staff and four-part time staff.

The subject site is a two-storey mixed use commercial plaza located on the south side of Innsbruck Drive. The property is zoned [CL3 \(Commercial Local Three\)](#) and is in the Whistler Creek DPA. It is in a building with commercial, retail, and personal service business uses on the ground floor and employee housing in upper storeys. A bus stop is located on Lake Placid Road directly in front of the store providing access to the main transit corridor. Short stay parking is available on-site and directly in-front of the store.

The location in the Gateway building is set back from Innsbruck Drive and the intersection with Highway 99. A signalized crosswalk provides access to Creekside Village across Lake Placid Road. The surrounding area provide a general degree of surveillance and compatible convenience commercial uses, including a bank within the plaza, nearby employee housing and visitor accommodations.

The storefront design, including signage would be regulated through the permitting and licence process and is subject to the Whistler Creek DPA Guidelines.

Spiritleaf Whistler application materials can be found in Appendix K.

Community Impact Statement

The applicant has proposed measures to address community policy objectives within the CIS part of their application. These are summarized in Table 11 below, and reflect commitments made by the applicant for consideration of their application.

Table 11. TUP00109 ‘Spiritleaf Whistler’ Community Impact Statement Commitments

Commitment to Living Wage	Wages starting at \$24.30/hour plus extended benefits and opportunities for salaried positions. Applicant is a certified Living Wage employer.
Provisions for employee housing	Employees will qualify for a waitlist for the four on-site employee units. Will provide a rent subsidy of \$500 a month to employees.
Commitment to reconciliation	Will donate two per cent of revenue to the SLCC. Will feature a land acknowledgement statement in-store. Will feature BC Indigenous craft cannabis products in store. Will provide cultural competency training for staff.
Relationship with community organizations	Commitment to build relationships with AWARE, Zero Ceiling and other community organizations by donating and volunteering.

Leadership on sustainability	Will partner with Re-Waste to create in-store waste diversion by repurposing cannabis product waste. Deliveries will be by e-bike or electric vehicle.
Security and nuisance mitigation	Will install a high-performance air filtration system to mitigate odour Will post information and inform customers about Whistler's Smoking Regulation Bylaw. Will promote responsible consumption with signage posted at the point of payment.

In response to the Public Notice, nine written submissions offering support for this application were received. Input includes support for the location and familiarity with the applicant. No comments opposing this applicant were received. Those written submissions are included in Appendix B.

8. TUP00112: #321 – 2063 Lake Placid Dr 'Creekside Cannabis'

Location Analysis

The location is on the ground level in a mixed-use commercial building on Franz's Trail in Creekside Village. It is adjacent to a dental office and a grocery store. The store would occupy approximately 102 m² (1,098 sq. ft.) of retail floor area. The floor plans indicate areas for displays, service area, storage and office space. The proposed store hours are 9:00 a.m. to 11:00 p.m., seven days a week, which is the maximum permitted by the LCRB. The applicant anticipates employing between seven and 12 staff members.

The subject unit is in a two-storey mixed use commercial building located on Franz's Trail in Creekside Village. The property is zoned [CC2 \(Commercial Core Two\)](#) and is in the Whistler Creek DPA. The immediate area is hub of activity and a busy destination in Whistler with commercial uses including a grocery store, liquor store, Whistler Kids, and other retail stores. The location is visible at the entry point for the pedestrian pathway connecting the short-stay and day parking lots with the Creekside commercial area. Gondola access is within a short walk and many public uses where people congregate surround the proposed store site, including a nearby playground, outdoor fire pit, coffee shop and patio. A bus stop is located a short walk north across Lake Placid Road that provides access to the main transit corridor.

The proposed location on Franz's Trail is a popular destination for families and visitors with Whistler Kids ski school located approximately 50 meters from the storefront. The entrance to a grocery store that serves this neighborhood and visitors is within 15 meters. The location is also highly visible along the pedestrian corridor leading from the parking lot which serves the businesses in Creekside Village. The area surrounding the storefront is designed to maximize pedestrian access with outdoor congregation areas, creating some concerns for compatibility with the family-focus setting and prominence of the location.

The storefront design, including signage would be regulated through the permitting and licence process and is subject to the Whistler Creek DPA Guidelines.

Creekside Cannabis’ application materials can be found in Appendix L.

Community Impact Statement

The applicant has proposed measures to address community policy objectives within the CIS part of their application. These are summarized in Table 12 below, and reflect commitments made by the applicant for consideration of their application.

Table 12. TUP00112 ‘Creekside Cannabis’ Community Impact Statement Commitments

Commitment to Living Wage	Wages from \$22 - \$40/hour plus extended benefits and opportunities for bonuses.
Provisions for employee housing	Will provide access to a four-bedroom house secured by the business as employee housing.
Commitment to reconciliation	Will donate two per cent of revenue to the SLCC. A land acknowledgement statement in-store. Will provide cultural competency training for staff.
Relationship with community organizations	Support community initiatives including schools, WCSS, health officials with mental and emotional health and awareness. Propose to partner with veterinarians to create a safety program for pets that ingest cannabis.
Leadership on sustainability	Provide instore recycling and waste diversion program. Seek to install energy efficient fixtures and appliances.
Security and nuisance mitigation	Will upgrade air filtration system to mitigate odour. Will educate customers and post information about Whistler’s Smoking Regulation Bylaw If necessary, will hire security to discourage smoking in the area around the store.

In response to the Public Notice, staff received two written submissions opposing cannabis retail in this location, suggesting that it would detract from the family-oriented neighbourhood, it is too visible, and it is too close to the Whistler Kids ski school and grocery store. No comments supporting this applicant were received. Those written submissions are included in Appendix B.

Creekside Application Evaluation

A detailed evaluation of each application against the evaluation criteria contained in the Cannabis Retail Policy, has been completed and is presented in Appendix D based on the Application Evaluation Tables found in Appendix C. Table 13 provides an overview summary of the evaluation review for each of the application submissions for the Creekside Permit Area using the rating system presented in Table 2 above.

Table 13. Creekside Application Evaluation Summary Table

Evaluation Criteria		TUP00109	TUP00112
<i>i</i>	<i>Balancing resort and community needs</i>	✓	✓
<i>ii</i>	<i>Provisions for employee housing</i>	✓	✓

iii	Commitment to a Living Wage	✓	✓
iv	Relationships with or support for community organizations	Partial	Partial
v	Leadership on sustainability and climate action, with additional reference to Whistler's Climate Action Big Moves Strategy, and Zero Waste Action Plan	✓	Partial
vi	Contributions to local economic development and overall character that promote a four-season family-friendly resort destination	✓	Partial
vii	Commitment to Whistler's community health and social strategy goals	Partial	Partial
viii	Commitments to reconciliation and providing economic opportunities for the Líl'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			
a.i	Storefront design compliance with relevant OCP Development Permit area guidelines, RMOW Sign Bylaw No. 558, 1987, and the CCLA	Partial	✓
a.ii	Proximity and availability of parking and potential vehicle traffic impacts in compliance with Zoning and Parking Bylaw No. 303, 2015	✓	✓
a.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:			
b.i	Security plan and monitoring meeting or exceeding provincial requirements	✓	✓
b.ii	Impact on visitors and neighbours including odour	✓	✓
b.iii	The applicant's commitment to abide by the terms of any Good Neighbour Agreement	✓	✓
b.iv	The applicant's efforts to inform customers about the Smoking Regulation Bylaw No. 2136, 2017	✓	✓

Function Junction Applications

The RMOW received two cannabis retail TUP applications in Function Junction as shown in Figure 4. Each application is presented followed by Function Junction TUP Area recommendations. An Application Evaluation Table can be found in Appendix C and an Evaluation Summary of table of Applicants can be found in Appendix D attached to this report.



Figure 44: Function Junction TUP Area Applications

9. TUP00107: #1–1050 Millar Creek Road ‘A Little Bud’

Location Analysis

This location is on the ground level of a mixed-use building. It is adjacent to existing office and light industrial space. The store would occupy approximately 91 m² (984 sq. ft.) of retail floor area. The floor plans identify locations for displays, service area, secure cannabis storage in a fulfillment room, a washroom and storage area. The applicant anticipated store hours from 9:00 a.m. to 9:00 p.m., Monday to Saturday and 9:00 a.m. to 8:00 p.m. on Sunday. The applicant anticipates employing 14 staff.

The unit is in a two-storey mixed use commercial light industrial building on the south side of Millar Creek Road. The property is zoned [IS1 \(Industrial Service One\)](#) which supports commercial service and light industrial uses. It is surrounded by other multi-unit, multi-use buildings that cater to business and industrial activities providing a diverse mix of uses nearby including commercial service, manufacturing, warehouse, and some personal service and office space generally located above the ground floor.

The location is well situated on Millar Creek Road in Function Junction surrounded by a mixed-use neighborhood. The entrance facing and visible from Millar Creek Road makes the location easy to observe. On-site parking short-stay parking is located at the front of the building.

The application has generally met the policy criteria with the opportunity to increase the commitments to climate action through electrification of delivery and prioritizing bike delivery given the location’s proximity to Cheakamus Crossing, a residential neighborhood with workforce housing and full-time residents.

The storefront design, including signage would be regulated through the permitting and licence process and is subject to the Whistler Commercial/Industrial DPA Guidelines.

Application materials for A Little Bud can be found in Appendix M.

Community Impact Statement

The applicant has proposed measures to address community policy objectives within the CIS part of their application. These are summarized in Table 14 below, and reflect commitments made by the applicant for consideration of their application

Table 14. TUP00107 ‘A Little Bud’ Community Impact Statement Commitments

Commitment to Living Wage	Wages will range from \$25-\$30/hour plus extended benefits.
Provisions for employee housing	Commitment to secure and fund housing for up to six employees, and provide a cost of living subsidy to staff until the housing is secured. Will provide a fuel subsidy for staff living outside of Whistler.
Commitment to reconciliation	Support the Squamish Nation and Lílwat Nation with mental health and health program organizations, charities, bursaries, grants, and scholarships. Highlight BC Indigenous cannabis products in store. Seek to provide aid in ways that matter to the Squamish Nation and Lílwat Nation, including:

	<ul style="list-style-type: none"> • Commissioning and showcasing indigenous artwork quarterly, with the goal to showcase artists from the Lílwat Nation and Squamish Nation; and • Advertising jobs directly with Lílwat Nation and Squamish Nation.
Relationship with community organizations	Commitment to provide 2.5% of profits to community organizations including WCSS and the Howe Sound Women’s Centre.
Leadership on sustainability	Will establish in-store recycling program with Eco-Action to divert cannabis waste products. Delivery will be made by hybrid and electric vehicles.
Security and nuisance mitigation	Will upgrade air filtration system. Will train staff and post educational information about Whistler’s Smoking Regulation Bylaw. Will install outdoor bearproof waste receptacles.

No comments specific to TUP00107 were received in response to the Public Notice.

10. TUP00111: #9 and #10 1100 Millar Creek Road ‘Team Cannabis’

Location Analysis

The location is a ground level commercial unit of a two-storey mixed use building. It is adjacent to a personal service business and outdoor storage yard. The store would occupy approximately 91.5m² (985 sq. ft.) of retail floor area. The floor plans indicate displays, a service area, storage area, staff room, a washroom and office space. The proposed store hours are 9:00 a.m. to 11:00 p.m., seven days a week, which is the maximum permitted by the LCRB. The applicant anticipates employing 10 to 13 staff.

The unit is in a two-storey commercial building on the west end of Millar Creek Road. The property is zoned [IS1 \(Industrial Service One\)](#) which supports commercial service and light industrial uses. The immediate area is surrounded by other smaller multi-unit, multi-use buildings that cater to business and industrial activities providing a diverse mix of uses nearby including commercial service, manufacturing, warehouse, and some personal service and office space generally located above grade.

The location is surrounded by a mixed-use neighborhood with a variety of personal service and retail uses within the same building. The storefront entrance faces and is visible from Millar Creek Road which makes the location easy to observe from people in the nearby vicinity.

The current function and flow of the parking lot on this site is altered from the approved parking plan on record for this building. It is also currently deficient in parking based on the existing uses on site. Some building and parking improvements would be needed to address the existing parking deficiency and to bring the building into Building Code compliance.

The storefront design, including signage would be regulated through the permitting and licence process and is subject to the Whistler Commercial/Industrial DPA Guidelines.

Application materials for Team Cannabis can be found in Appendix N.

Community Impact Statement

The applicant has proposed measures to address community policy objectives within the CIS part of their application. These are summarized in Table 15 below, and reflect commitments made by the applicant for consideration of their application

Table 15. TUP00111 ‘Team Cannabis’ Community Impact Statement Commitments

Commitment to Living Wage	Starting wage of \$25/hour plus extended benefits after three months. Seeking to become a Living Wage-certified employer.
Provisions for employee housing	Will seek to lease or buy staff housing and offer subsidized rent for employees.
Commitment to reconciliation	Pending agreement, will direct two per cent of gross revenue to be split between the Squamish Nation and Lílwat Nation.
Relationship with community organizations	Will volunteer and make financial donations to community organizations including a recent \$1,500 donations to both the WCSS and to the SLCC. Will suggest that staff volunteer at community events.
Leadership on sustainability	Will engage an energy advisor to assist with building upgrades. Will use ebikes and electric vehicles for delivery. Will provide transit passes for staff and organize carpooling. Will create a deposit-based recycling system for cannabis and vape containers. Will promote recycling and outsource waste diversion to a third party.
Security and nuisance mitigation	Will install a charcoal air filtration system to mitigate odour. Will provide information about Whistler’s Smoking Regulation Bylaw. Will provide information about wildfire prevention and proper disposal of cigarettes.

No comments specific to TUP00111 were received in response to the Public Notice.

Function Junction TUP Area Application Evaluation

Table 6 provides an overview summary of the evaluation review contained in Appendix D indicating how the application submissions for the Function Junction TUP Area addressed the evaluation criteria contained in the Cannabis Retail Policy. The evaluation review is based off of Application Evaluation Tables found in Appendix C.

Table 16. Function Junction Application Evaluation Summary Table

Evaluation Criteria		TUP00107	TUP00111
<i>i</i>	<i>Balancing resort and community needs</i>	✓	✓
<i>ii</i>	<i>Provisions for employee housing</i>	✓	✓
<i>iii</i>	<i>Commitment to a Living Wage</i>	✓	✓
<i>iv</i>	<i>Relationships with or support for community organizations</i>	✓	Partial

v	<i>Leadership on sustainability and climate action, with additional reference to Whistler's Climate Action Big Moves Strategy, and Zero Waste Action Plan</i>	Partial	✓
vi	<i>Contributions to local economic development and overall character that promote a four-season family-friendly resort destination</i>	✓	✓
vii	<i>Commitment to Whistler's community health and social strategy goals</i>	✓	✓
viii	<i>Commitments to reconciliation and providing economic opportunities for the Lílwat Nation and Squamish Nation</i>	✓	✓
a. Business operations and store design should contribute to Whistler's mountain resort character and must comply with applicable bylaws, plans, and policies, including:			
a.i	<i>Storefront design compliance with relevant OCP Development Permit area guidelines, RMOW Sign Bylaw No. 558, 1987, and the CCLA</i>	✓	Partial
a.ii	<i>Proximity and availability of parking and potential vehicle traffic impacts in compliance with Zoning and Parking Bylaw No. 303, 2015</i>	✓	Partial
a.iii	<i>Access for pedestrians of all abilities, cyclists, including proximity to public transit</i>	✓	✓
b. Council may consider the applicant's security plans and nuisance mitigation plans including:			
b.i	<i>Security plan and monitoring meeting or exceeding provincial requirements</i>	✓	✓
b.ii	<i>Impact on visitors and neighbours including odour</i>	✓	✓
b.iii	<i>The applicant's commitment to abide by the terms of any Good Neighbour Agreement</i>	✓	✓
b.iv	<i>The applicant's efforts to inform customers about the Smoking Regulation Bylaw No. 2136, 2017</i>	✓	✓

Recommendations

Village Centre Permit Area Recommendations

Staff recommend support	Staff do not recommend support
TUP00106 – This Is Cannabis (#201 A/B 4293 Mountain Square)	TUP00108 – The Green Pineapple (#7 4433 Sundial Place)
	TUP00110 – Seed and Stone (#4 4122 Village Green)
	TUP00113 – Inspired Cannabis (#5 4122 Village Green)

Staff recommend that Council authorize approval of TUP00106 for This is Cannabis. The applicant has chosen a central, convenient location that meets Whistler's locational guidelines and requirements, and provides good sightlines for visual patrol. The applicant's CIS includes robust and specific commitments addressing the evaluation criteria, including commitments to provide subsidized employee housing, maintain a living wage standard for employees, provide financial support to community organizations, and implement sustainability practices. The applicant has indicated that they have engaged with the Squamish Nation and Lílwat Nation, and have committed to creating an innovative scholarship program for indigenous students as well as providing financial support through the economic development corporations of each Nation, should they be interested.

The Green Pineapple proposes an appropriate location off the Village Stroll, and outlines specific commitments to support the SLCC and other community organizations. Commitments supporting employee housing and leading on sustainability are less specific. Similarly, Seed and Stone provides fewer specific commitments to employee housing and leadership in sustainability in their CIS. Inspired Cannabis has provided specific commitments to employee housing, and proposes to become a certified living wage employer. They have indicated an interest in supporting community organizations, but have not provided specific commitments.

Staff identified some concern with the proposed location of Seed and Stone and Inspired Cannabis, as the interior shops at the Adara Hotel do not have good sight lines which creates some challenges for visual patrols. The adjacent exterior area becomes crowded in the evenings with patrons of nearby bars and nightclubs and has associated crowd management considerations.

Village North Permit Area Recommendations

Staff recommend support	Staff do not recommend support
TUP00114 – Main Street THC Canada (#115 4368 Main Street)	TUP00115 – Mountain High (#211 4368 Main Street)

Staff recommend that Council authorize approval of TUP00114 for Main Street THC Canada. The applicant proposes a location that meets Whistler’s locational guidelines and requirements, and provides good sightlines for visual patrols. The applicant’s CIS directly addresses evaluation criteria and includes specific commitments, including addressing employee housing, providing good wages, provide financial support and paid volunteer time to community organizations, and demonstrating sustainability leadership. The applicant proposes specific commitments to reconciliation, including bringing in a consultant to develop a business strategy.

The CIS from Mountain High provides more exploratory than firm commitments to addressing the evaluation criteria, including exploring potential contributions to offset the cost of employee housing, sharing a percentage of revenue with Squamish Nation and Lilwat Nation, and plans for partnering with community organizations. The applicant has addressed some ways it can contribute to climate action such that the business would encourage staff to use alternative forms of transportation to get to work and use energy efficient fixtures/lighting and using supplies with environmentally friendly packaging but did not address any aspects related to delivery or a store-led waste diversion program. The applicant has shown some ways in which it can help to achieve a balancing resort and mitigate nuisance issues.

Creekside Permit Area Recommendations

Staff recommend support	Staff do not recommend support
TUP00109 – Spiritleaf Whistler (#103 2011 Innsbruck Drive)	TUP00112 – Creekside Cannabis (#321 2063 Lake Placid Drive)

Summary of analysis:

Staff recommend that Council authorize approval of TUP00109 for Spiritleaf Whistler. The applicant proposes a convenient location meeting all locational guidelines and requirements, and provides good sightlines for visual patrols. The applicant’s CIS directly addresses evaluation criteria and includes strong commitments for staff wages, access to on-site employee housing and a housing subsidy, providing good wages, providing financial support and paid volunteer time to community organizations, and demonstrating sustainability leadership. The applicant proposes specific commitments to reconciliation, including bringing in a consultant to develop a business strategy.

The application for Creekside Cannabis meets the location requirements, however the interface with family-friendly destinations immediately adjacent to the proposed location and the prominence of the location within the Creekside commercial area make this location less desirable. Community input received during the notification period pointed out that the store is in a busy commercial destination, adjacent to a grocery store, liquor store, the Whistler Kids ski school, and other retail stores. The location is visible at the entry point for the pedestrian pathway connecting the short-stay and day parking lots with the Creekside commercial area.

Creekside Cannabis has made specific commitments to employee housing and wages. Proposed support for community organizations is less specific. Creekside Cannabis has proposed to provide support to the SLCC and/or the Squamish Nation and Lílwat Nation, and has proposed to hold quarterly meetings with the Squamish Nation and the Lílwat Nation.

Function Junction Permit Area Recommendations

Staff recommend support	Staff do not recommend support
TUP00107 – A Little Bud (#1 1050 Millar Creek Road)	TUP00111 – Team Cannabis (#9&10 Lake1100 Millar Creek Road)

Staff recommend that Council authorize approval of TUP00107 for A Little Bud. The applicant proposes a convenient location meeting all locational guidelines and requirements, and provides good sightlines for visual patrols. The applicant's CIS directly addresses evaluation criteria and includes strong commitments to paying a living wage and employee housing provisions. The applicant proposes specific commitments to community organizations and to reconciliation, and is actively engaged with the Squamish Nation and Lílwat Nation.

The location proposed by Team Cannabis has parking deficiencies and would require building upgrades. Several unpermitted and non-compliant structures have been added to the property and unpermitted works on the building. Currently, there are two open Building Permits: one to address windows that were added without a permit, and the other for plumbing. The existing on-site parking is deficient based on bylaw requirements. The CIS includes specific commitments to employee housing and staff wages, defined contributions to community organizations and to the Squamish Nation and Lílwat Nation, should they accept, and to sustainability leadership.

Next Steps

Following Council's consideration of the TUPs, the positive and negative resolutions will be provided to the LCRB. Upon receiving confirmation that the LCRB has approved a cannabis retail store licence, the RMOW will issue cannabis retail TUPs that were authorized by Council subject to the applicant having entered into the Good Neighbour Agreement (GNA) with the RMOW. Any offered involvement, donations, or support to First Nations would be subject to the First Nations endorsing any such donations.

Store operators will sign a GNA as part of TUP approval. A template agreement is provided in Appendix O. The GNA includes commitments to operating lawfully and in alignment with bylaws, policies, and guidelines; taking responsibility for business impacts; proactively managing and educating patrons to ensure they cause no disturbance; and working collaboratively with the RMOW, the RCMP, and other community stakeholders. The agreements will also incorporate the commitments made by each of the approved applications under their CIS, as summarized in the Table presented for each application in the Analysis section of the report. This report recommends that these agreements be finalized to the satisfaction of the General Manager of Climate Action, Planning and Development.

Following approval of a cannabis retail TUP and provincial Cannabis Retail Store licence, applicants may require additional permits, including a Development Permit, Building Permit, and Sign Permit. Exterior store design must comply with relevant Development Permit Area guidelines, as well as with the regulations set forth by the LCRB. Before opening, all cannabis retail stores are required to obtain an RMOW business licence.

As no applications were received for a cannabis retail store in Nesters Plaza, the RMOW may consider cannabis retail TUP applications in this TUP area on an on-going basis. Similarly, if another TUP area is without a store at some point in the future, the RMOW could consider receiving and reviewing cannabis TUP applications in that TUP area.

The TUP approvals are for an initial three-year period with the ability to renew for an additional three years. The renewal is subject to the discretion of Council, and provides an opportunity to review the performance of applicants. Once the initial six-year TUP period is up, the RMOW could consider adding cannabis retail as an outright use in certain zones or through site-specific rezonings to authorize the use permanently, or could consider an application for a new TUP. This allows the RMOW to maintain discretion over the approval process and a degree of on-going oversight through permit conditions and renewal requirements.

POLICY CONSIDERATIONS

Relevant Council Authority/Previous Decisions

[Administrative Report No.22-158](#) presented “Zoning Amendment Bylaw (Cannabis Retail) No. 2371, 2022” for consideration of third reading, and provided a summary of the verbal and written submissions made during the Public Hearing. “Zoning Amendment Bylaw (Cannabis Retail) No. 2371, 2022” was subsequently adopted by Council.

[Administrative Report No. 22-130](#) presented the proposed Bylaw amendments in alignment with the Cannabis Retail Policy G27 to introduce, permit and regulate cannabis retail stores in the Whistler community using TUPs. The proposed Bylaw was presented to Council for first and second reading, alongside Business Licence Bylaw and Application Processing Fee Bylaw which were presented for first, second, and third reading, and have subsequently been adopted.

On August 2, 2022: Council received [Administrative Report No. 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 the Cannabis Retail Policy 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.

[December 7, 2021, Administrative Report No. 21-137](#) 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.

[Council Policy G-27: RMOW Cannabis Retail Policy](#)

2023-2026 Strategic Plan

The 2023-2026 Strategic Plan outlines the high-level direction of the RMOW to help shape community progress during this term of Council. The Strategic Plan contains four priority areas with various associated initiatives that support them. This section identifies how this report links to the Strategic Plan.

Strategic Priorities

Housing

Expedite the delivery of and longer-term planning for employee housing

Climate Action

Mobilize municipal resources toward the implementation of the Big Moves Climate Action Plan

Community Engagement

Strive to connect locals to each other and to the RMOW

Smart Tourism

Preserve and protect Whistler's unique culture, natural assets and infrastructure

Not Applicable

Aligns with core municipal work that falls outside the strategic priorities but improves, maintains, updates and/or protects existing and essential community infrastructure or programs.

Community Vision and Official Community Plan

The 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 development, 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.

5.6.3.2. Policy Maintain the ambiance of Whistler Village as a people-friendly, pedestrian-oriented environment.

5.6.3.5. Policy Ensure public spaces are safe and accessible to everyone, aesthetically pleasing and comfortable social spaces.

5.6.3.19 Policy Work to address potential impacts associated with federal legalization of cannabis.

The Cannabis Retail Policy implements the objectives in Chapter 6: Economic Viability. Goal 6.6 supports a vibrant, growing and successful local business community with the objective to strengthen support for local business through using land use and supporting programs, including the following relevant policies:

6.6.1.3 Policy Support new and existing businesses that enhance the use of local Whistler skills and expertise and support the authentic mountain culture.

6.6.1.4 Policy Explore opportunities to incorporate Squamish Nation and Líl'wat Nation owned and operated businesses into the local business economy.

BUDGET CONSIDERATIONS

Staff time for development of the Cannabis Retail Policy and associated bylaw amendments was covered by the Planning Department budget. Application fees offset staff time reviewing and administering cannabis retail temporary use permit and licence applications and the costs of the required notifications.

LÍŁWAT NATION & SQUAMISH NATION CONSIDERATIONS

The RMOW is committed to working with the Líłwat 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.

The Cannabis Retail Policy is 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 Líłwat Nation, specifically:

3.3.3.1 Policy The Líłwat Nation and Squamish Nation meaningfully participate in the future direction of Whistler and the surrounding region.

3.6 Goal The Squamish Nation and Líłwat 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 Líłwat Nation is:

4.1.2.3 Policy Work collaboratively towards both Whistler and the Líłwat 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.

The Cannabis Retail Policy was referred to the Squamish Nation and Líłwat Nation during research and policy development phase. The cannabis retail TUP notification was referred through the Squamish Nation and Líłwat Nation referral portals.

COMMUNITY ENGAGEMENT

Level of community engagement commitment for this project:

Inform Consult Involve Collaborate Empower

Comment(s):

Written input on cannabis retail TUPs

Notices were delivered to all addresses within 30 metres of each cannabis retail TUP application with information about the TUP application and the date for Council’s consideration of the TUPs. Notice was also posted in two consecutive editions of the *Pique* with similar information, and application materials have been made available for viewing [here](#) and in-person at Municipal Hall. These measures satisfy the requirements of Whistler’s Land Use Procedures and Fees Bylaw No. 2205, 2022, Section 494 of *The Local Government Act*, and the notification requirements established by the LCRB. All written submissions received by the Public Notice deadline are included in Appendix B.

Summary of Written Comments

During the TUP notification period, 47 written submissions were received. Responses received after finalization of this report will be included in the Council package. A summary of comments pertaining to specific applications are presented in the section for that application.

General concern - themes	Cannabis retail should not be approved in proximity to areas frequented by young children and families, including drop-off locations, ski school, indoor and outdoor recreation, grocery stores, and restaurant patios.
	Cannabis retail should not be permitted in Whistler due to the possibility of that skiers and snowboarders could sustain injuries after consumption.
	Cannabis retail stores should not be permitted in Whistler as they are not in alignment with family friendly image and community values.
	Concern that the presence of cannabis retail stores might expose youth to the normalization of cannabis.
	Concern that cannabis retail stores might lead to an increase in drug-related activities.
General support - themes	Cannabis retail stores should be approved as the community wants this land use in Whistler.
	A number of submissions provided support for a particular applicant, based on an existing relationship with or knowledge of the applicant.
	Several submissions provided support for specific locations as they would draw additional businesses to a retail area.

Response to public input

Whistler’s Cannabis Retail Policy and bylaw amendments were crafted to address and mitigate community concerns. The guiding principles in the Cannabis Retail Policy establish that cannabis retail in Whistler should support a thriving and diverse economy, reinforce Whistler’s mountain community character, promote community and social well-being, and balance community and visitor demand with community safety and a family-friendly environment. The Cannabis Retail Policy was prepared with input from the community, and was crafted to address concerns raised during the engagement process. Details are available in [Administrative Report 22-116](#). Locational guidelines and bylaw requirements restrict proliferation of cannabis retail by allowing no more than one store in each of the TUP areas, restricting cannabis retail stores from having frontage on the Village Stroll.

Applicants have submitted a CIS which addresses the guiding principles and evaluation criteria in the Cannabis Retail Policy, including a description of how their business will advance Whistler’s values as a family friendly and safe community. Staff have recommended approval of the applicant in each TUP

area that best demonstrated an understanding of and commitment to guiding principles of the Cannabis Retail Policy.

Earlier Community and Stakeholder Engagement

Additional community, industry, and stakeholder engagement was conducted during the development of the Cannabis Retail Policy. During development of the Cannabis Retail 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. The Cannabis Retail Policy was referred to the Squamish Nation and the Lílwat Nation through their online referral portals. A summary of this engagement was presented on August 2, 2022 with [Administrative Report 22-116](#).

Zoning Amendment Bylaw (Cannabis Retail) No. 2371, 2022 amends the Zoning Bylaw to allow the land use for cannabis retail 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. A Public Hearing was held on November 29, 2022. Notification of the Public Hearing was done in accordance with section 466 of the LGA. There were no submissions or representations made by the public, and the bylaw was subsequently adopted by Council. Details are provided in [Administrative Report 22-130](#).

REFERENCES

Section 13(b)(x) of ["Business Licence and Regulation Bylaw No. 2353, 2019"](#)

["Liquor Licence and Cannabis Retail Licence Application Processing Fee Bylaw No. 2374, 2022"](#)

[Smoking Regulation Bylaw No. 2136, 2017](#)

["Zoning and Parking Amendment Bylaw \(Cannabis Retail\) No. 2371, 2022"](#)

[2019 Whistler's Living Wage Study](#)

Appendix A – Overview Map of Proposed Locations

Appendix B – Public Input Received During TUP Notification Period

Appendix C – Application Evaluation Tables

Appendix D – Evaluation Summary Table

Appendix E – Application Materials for TUP00106 (This Is Cannabis)

Appendix F – Application Materials for TUP00108 (The Green Pineapple)

Appendix G – Application Materials for TUP00110 (Seed & Stone)

Appendix H – Application Materials for TUP00113 (Inspired Cannabis Co.)

Appendix I – Application Materials for TUP00114 (Main Street THC Canada Ltd.)

Appendix J – Application Materials for TUP00115 (Mountain High)

Appendix K – Application Materials for TUP00109 (Spiritleaf)

Appendix L – Application Materials for TUP00112 (Creekside Cannabis)

Appendix M – Application Materials for TUP00107 (A Little Bud)

Appendix N – Application Materials for TUP00111 (Team Cannabis)

Appendix O – Sample Good Neighbour Agreement

SUMMARY

This report provides Council with an overview of the 10 Cannabis Retail TUP applications received during the application intake period and recommends that Council authorize approval of four, based on an assessment of each application against the RMOW's *Cannabis Retail Policy* and relevant bylaws. The report also presents written comments received resulting from the public notice requirements.

SIGN-OFFS

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