

PUBLIC INFORMATION HANDBOOK

Deviant Fibres
213 City Centre

September 2019

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Job #001738

Date: August 13, 2019

Morganne Williams
City of Kitimat

Re: Application for a Non-Medical Cannabis Retail Store Licence
Applicant: Iqbal S Bath, Inderpal S Dhillon
Proposed Establishment Name: Deviant Fibres
Proposed Establishment Location: 213 City Centre Mall

The Liquor and Cannabis Regulation Branch (LCRB) has completed the eligibility and suitability requirements of the *Cannabis Control and Licensing Act* (the Act) for Iqbal S Bath, Inderpal S Dhillon, and persons associated with Iqbal S Bath, Inderpal S Dhillon.

One of the requirements that must be met before the issuance of a Non-Medical Cannabis Retail Store Licence (CRS) under the *Cannabis Control and Licensing Act* is a positive recommendation from the local government and/or Indigenous nation of the area in which the proposed retail store is located. The General Manager must take the recommendation into account in deciding whether to issue the CRS to the applicant.

If the local government or Indigenous nation chooses not to make a recommendation regarding this application, please contact the LCRB at the earliest convenience.

For more information on the local government and Indigenous nation role please see the following links:

https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/documents/local_government_role_in_licensing_cannabis_retail_stores.pdf

OR

https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/documents/indigenous_nation_role_in_licensing_cannabis_retail_stores.pdf

If you have any questions, please feel free to contact me at 778 698 5417 or via email at paige.johns@gov.bc.ca.

Sincerely,

Paige Johns
Senior Licensing Analyst

copy: Iqbal S Bath, Inderpal S Dhillon
Rupi Gill, Provincial Director Compliance

**Liquor and Cannabis
Regulation Branch**

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8

Location:
645 Tye Road
Victoria BC V9A 6X5
Phone: 250 952-5787
Facsimile: 250 952-7066

Website:
www.gov.bc.ca/cannabisregulationandlicensing

- Policy- Procedure Manual

POLICY - PROCEDURE MANUAL

Cannabis Retail Licensing Applications

Page 1 of 1

<u>PREPARED BY:</u>	<u>AUTHORIZED BY:</u>	<u>DATE OF ISSUE:</u>
W. Waycheshen	Kitimat Council	27 August 2018

The following policy is intended to guide Mayor & Council and District staff through a cannabis retail location retail.

Cannabis Retail Review Process

Step 1: Staff acknowledge the receipt of the request for recommendation for cannabis retail and prepare an introductory report to Council for initial direction.

If Council wishes to further consider the application, go to Step 2.

If Council does not support this application, a resolution will be passed and forwarded to LCRB general manager.

Step 2: Staff will prepare a report to Council detailing cannabis retail application and will recommend a process to capture public comment on a case-by-case base. Public comment may include, but is not limited to:

- i. Advertising
- ii. Notices mailed out to property owners, business operators, and tenants within 90m
- iii. Public Information Meeting
- iv. Public Hearing
- v. Referral to Advisory Planning Commission

Staff will also include land analysis of proximity to other land uses. Areas may include, but are not limited to:

- i. Schools (elementary and secondary)
- ii. Playgrounds
- iii. Recreation Facilities
- iv. Other Cannabis Retail Stores

Step 3: Following the public comment period, staff will prepare a report summarizing public comment, internal review and land analysis. Recommendations will be included.

Staff will inform applicant of status of application throughout review and invite to appear before Council as a delegation. A resolution must be submitted to LCRB within 90 days of the District receiving the application.

- Council Reports

COUNCIL REPORT

Date: 20 August 2019

File: 2.9.2.5

To: Warren Waycheshen, CAO - for Mayor and Council

From: Gwendolyn Sewell, Director of Community Planning & Development

Re: Cannabis Retail – 213 City Centre



1. Recommendation:

THAT the Cannabis Retail Licensing Application for 213 City Centre referred by the Liquor & Cannabis Regulation Branch on 13 August 2019 be received for consideration;

AND THAT public notice be issued: (i) advising that the proposed retail store at 213 City Centre is under consideration; (ii) inviting comment regarding the proposed cannabis retail store; and (iii) advertising Public Information Meeting and Public Comment Period;

AND FURTHER THAT the Cannabis Retail Licensing Application for 213 City Centre be referred to the Advisory Planning Commission, RCMPolice, School District No. 82 Coast Mountains;

2. Background

Kitimat Council amended *Kitimat Municipal Code* and adopted policy in preparation for the *Cannabis Act* and amendments to the *Criminal Code of Canada* to allow the purchase of non-medicinal cannabis; this federal legislation came into effect 17 October 2018. DOK changes:

- a. *Kitimat Municipal Code* now allows Cannabis Retail as a principal land use in C1 – City Centre, C5 – Limited Commercial, M2 – Service Centre General, and M2-A Service Centre Commercial Zones; and
- b. Cannabis Retail Licensing Application Policy (attached).

Deviant Fibres applied to the Liquor & Cannabis Regulation Branch (LCRB) to operate a cannabis retail store at 213 City Centre. Proposed location is in City Centre Mall; previously occupied by 2019 Festivals Kitimat.

The intent of this report is to seek direction from Kitimat Council on willingness to consider cannabis retail at this location (Step 1 of attached Policy). Staff have also provided additional information, as described in Step 2, should Council wish to move forward with consideration of Deviant Fibres licensing application. As per *Kitimat Municipal Code*, if Council indicates willingness to provide comment, the applicant will pay a fee of \$750 towards application review and advertising.

3. **Public Notice and Consultation**

Step 2 of the Policy provides methods that may be used to seek public comment on retail applications. Staff have outlined proposed consultation plan in **Attachment B**.

4. **Land Analysis of Proximity to Other Land Uses**

Step 2 of the Policy indicates that staff will assess proximity of proposed cannabis retail location to other land uses. Areas may include, but are not limited to:

- i. Schools (elementary and secondary)
- ii. Playgrounds
- iii. Recreation Facilities
- iv. Other Cannabis Retail Stores

The proposed location is in City Centre Mall, adjacent to Small Town Vapes and Big Jim's Spirits Store. It is easily accessible by public transit, pedestrian corridor, and vehicle. Lion's Park, Centennial Park and Tamitik Jubilee Sprots Complex are within 250m of the mall. Kildala School is approximately 500m from the mall and Kitimat City High School is outside of the 500m buffer. The public transit stop in Lower City Centre Parking Lot is the transfer site for students getting to and from school. **Attachment C** shows proximity to schools, playgrounds and recreational facilities.

5. **Summary**

The LCRB notified the District of Kitimat that the eligibility and suitability requirement for Deviant Fibres has been completed. Next step is for Kitimat Council to pass a resolution in support of, or opposed to, the proposed cannabis retail location. A retail license cannot be issued within DOK boundaries without the support of Kitimat Council. A resolution must be submitted to LCRB within 90 days of the District receiving the application or no later than 8 November 2019.

6. **Decision Options**

1. Council oppose cannabis retail application referred by LCRB for 213 City Centre and provide rationale;
2. Another option as developed through discussion of Council.

Budget Implications

No impact on 2019 budget.
No impact on Five-Year Financial Plan.

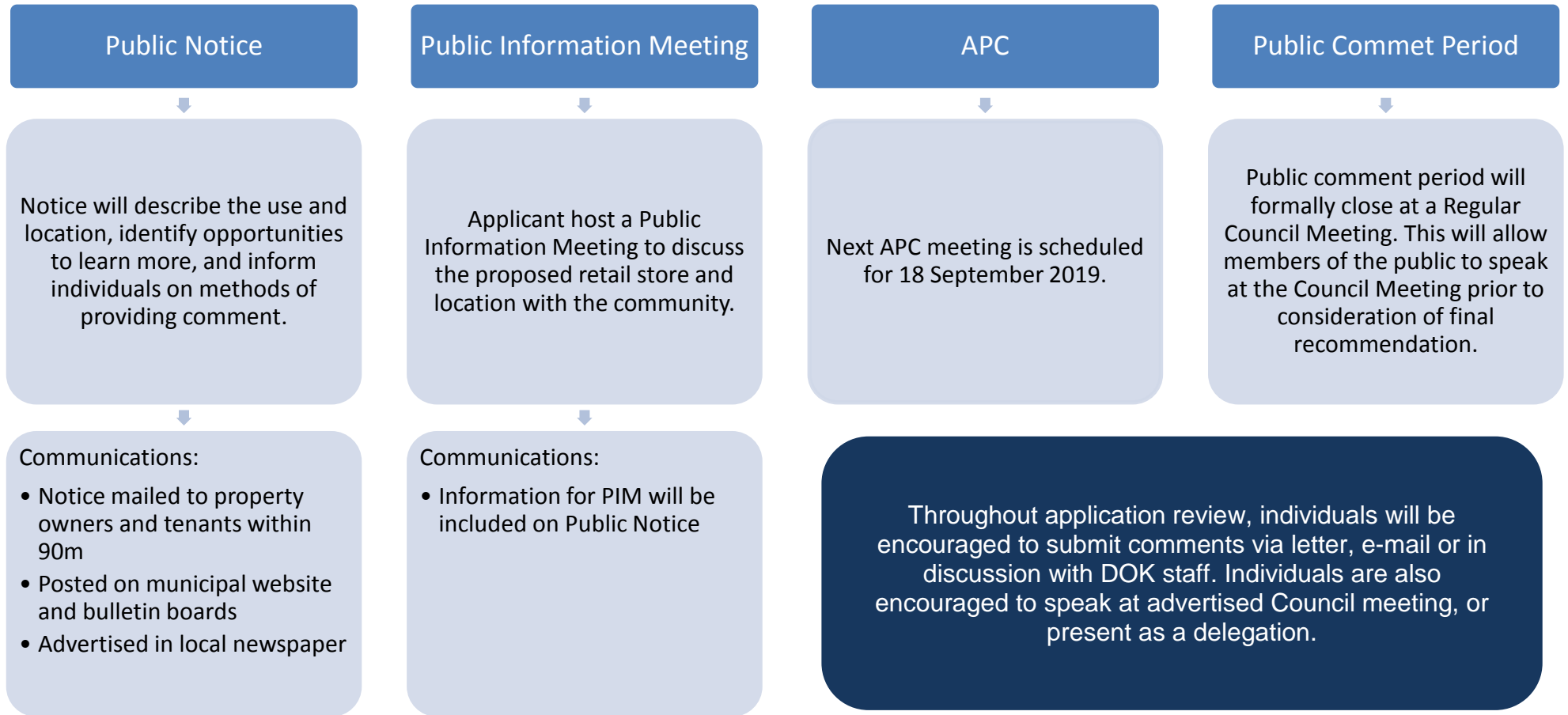
Director of Finance

Council Initiatives/Other

Submitted by:
Gwendolyn Sewell, MCIP, RPP
Director of Community Planning & Development

Approved for Submission:
Warren Waycheshen, CAO

Attachment B: Proposed Public Consultation



- Reports & Minutes

- Notice to Neighbours

- Public Comment

