

Interim Non-medical Cannabis Retail Policy Review

Regular Council Meeting

September 23, 2024

Background

Federal

- October 2018: *Cannabis Act* legalized recreational cannabis
- October 2019: *Cannabis Act* updated to legalize edibles, topicals, and extracts

Provincial

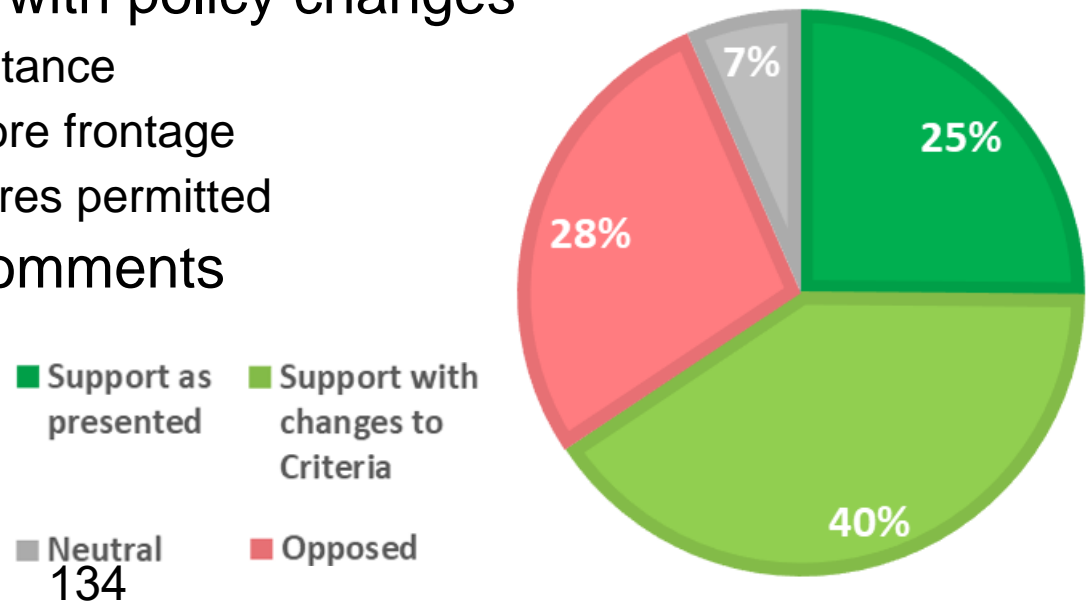
- Regulates: retail stores (based on liquor store model) and wholesale distribution
- Applications for a retail cannabis license must include:
 - Background check, financial information, location information and store floor plan with required security elements
- Conditions for all stores include:
 - Prohibiting window displays of cannabis and cannabis accessories to people outside the store
 - Hours of operation 9am - 11pm
 - No other uses allowed including sale of snacks, tobacco, etc.

Provincial Application Process

- Applicant applies to the municipality to receive approval for the land use (Rezoning or Temporary Use Permit)
- The municipality receives notice from the LCRB that they have received a cannabis license application from the applicant
- Municipality confirms with LCRB that they will be processing the land use application
- LCRB begins Fit & Proper Assessment
 - Background check on applicant for ties to organized crime, financial integrity etc.
- Municipality must gather “residents’ views” as part of the referral
 - Licences will not be issued without local government support
- Municipality provides recommendation to LCRB
- LCRB determines whether to grant or deny cannabis license

Interim Cannabis Policy - Public Consultation

- 2021: online survey to gather feedback on the Interim Policy criteria - www.westvancouverITE.ca/cannabis
- Email notification and correspondence with local business organizations
- Online survey – 3 weeks to provide feedback
- 550 responses, 25 emails and 2 letters received
 - 65% of respondents in general support
 - 40% support cannabis retail with policy changes
 - Increase/remove separation distance
 - Decrease/remove maximum store frontage
 - Decrease overall number of stores permitted
 - 7% neutral or provided no comments
 - 28% opposed



Previous Council Decisions

- July 23, 2018: Zoning Bylaw adopted to prohibit recreational cannabis sales and production in West Vancouver Bylaw
- May 31, 2021: Council approved the Interim Non-Medical Cannabis Retail Policy
 - Maximum 1 store in each shopping area
 - Ambleside
 - Horseshoe Bay
 - Dundarave
 - Marine Drive and Taylor Way
 - 100 m buffer from schools (public and private)
 - 8 m maximum frontage for retail cannabis businesses
- June 14, 2021: Fees and Charges Bylaw amendment passed for cannabis retail business license fee of \$5,000

Implementation Review

- In 2021 the District received 10 Temporary Use Permits for Cannabis retail
- Two applicants received a TUP for three years
 - 1453 Bellevue Avenue (Ambleside)
 - 6609 Royal Avenue (Horseshoe Bay)
- Existing businesses have operated successfully for over 2 years
- Two commercial areas remain available
 - Dundarave
 - Marine Drive LAP

Proposed Updated Cannabis Retail Policy

Criteria:

- Maximum 1 store in each shopping area
 - Ambleside
 - Horseshoe Bay
 - Dundarave
 - Marine Drive and Taylor Way LAP Commercial Area
 - Cypress Village
- 100 m buffer from schools (public and private)
- 8 m maximum frontage for retail cannabis businesses

Cannabis Retail Business License Fee

- Current business license fee is \$5,100 per year
- Initial fee set:
 - 1) to offset cost of the policy development
 - 2) Provide a fee that was generally consistent with other municipalities
 - 3) Offset potential unknown costs related to enforcement issues
- Recent review of license fees
 - Varying Cannabis license fees charged by lower mainland municipalities range \$125 - \$5,785
 - Other retail licence fees in District are significantly lower
 - Cannabis license unique as it requires a recommendation to LCRB from the municipality
- Current fee exceeds bylaw enforcement costs
 - No illegal cannabis retail stores
 - No bylaw infractions from current stores

Proposed Cannabis Retail Business License Fee

Reduce annual cannabis business license fee to \$300 per year

- Better align other retail license fees
- Simplify fee structure to improve administrative efficiency
- Flat fee as Cannabis Retail stores are unlikely to be large

Staff Recommendation

- That the updated Cannabis Retail Policy be approved.
- That the proposed Fees and Charges Amendment Bylaws to reduce the business licence fee for Cannabis retail to \$300 per year be read a first, second and third time.

Thank You!
Questions?

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