



DISTRICT OF 100 MILE HOUSE Policy & Procedures Manual

1.10 LIQUOR AND CANNABIS LICENCING POLICY

Amended June 18/19

A. PURPOSE

This policy applies to local government resolutions required by the Province of British Columbia, Liquor & Cannabis Regulation Branch (LCRB). The LCRB portfolio is specific to the following types of licences:

- Liquor Primary
- Food Primary, and
- Cannabis Retail

The general manager of the LCRB issues liquor licences under the authority of the *Liquor Control and Licensing Act* and *Cannabis Control and Licensing Act*. The general manager may also issue a cannabis retail licence under the *Cannabis Control and Licensing Act and Regulation*.

This document is intended to clarify the role of the District of 100 Mile House in the review of liquor and cannabis licence applications. Furthermore, any reference to cannabis retail licences is for the purpose of non-medical uses only.

Prior Liquor Licensing Policies No. 1.10 and 1.11 are hereby repealed.

B. GENERAL – CANNABIS RETAIL SALES

1. The District will only consider lawful cannabis-related uses that are permitted under Provincial and Federal legislation.
2. Retail cannabis licence applications will be processed at the conclusion of an intake period, after which they will be processed in the order the referrals are received from the LCRB.
3. Only applications referred by the Province will be considered.
4. The District will process cannabis-retail licence applications as follows:
 - a) The District receives an LCRB referral for each cannabis retail licence application and each existing licence amendment application.
 - b) An evaluation committee will evaluate the application using a scoring matrix.
 - c) The District will gather the views of residents in relation to the application.



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- d) Staff will complete a technical review of the application, which may include referrals to municipal departments, local RCMP and other agencies and organizations.
5. Only applications for cannabis retail sales that meet the Zoning regulations will be considered.
6. Retail cannabis stores must be at least 100 metres from elementary or high schools, measured from property line to property line.
7. Retail cannabis stores must be at least 50 metres from another retail cannabis store.
8. The District will consider a maximum of three (3) retail cannabis stores.
9. Applicants must pay a processing fee, which is in addition to any applicable development application fees such as Development Variance Permit or Development Permit.
10. Upon consideration of input from the Evaluation Committee, administration and the public, Council, by resolution, will decide whether to:
 - a) Support a provincial cannabis retail licence;
 - b) Support a provincial cannabis retail licence with terms and conditions; or
 - c) Not support a provincial cannabis licence.
11. Business licences will be issued upon “approval in principle” received from the Province and the District has provided a favourable resolution to the LCRB.

C. APPLICATIONS

1. Application Forms

Applications for local government resolution shall be made to the District of 100 Mile House Planning Department. Submitted applications shall contain the following information for a complete application:

- + Name, address, and signature of the applicant
- + Name, address, and signature of registered owner, if different from the applicant, or an Appointment of Agent form, if the applicant is not the owner
- + Title search for the property, including copies of any charges on title
- + Legal description of the property, and street address of the property
- + Type of application being made:
 - Application for a new liquor primary licence
 - Application for an amendment to an existing liquor primary licence



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- Application for a food primary licence requesting a patron participation endorsement and/or extension of the hours of operation of liquor service past midnight
- Application for a temporary amendment to an existing liquor licence, or
- Application for a non-medical cannabis retail licence

- ✚ Reasons, comments, and a business plan in support of the application
- ✚ An Occupant Load calculation from a qualified professional, if applicable
- ✚ A floor plan indicating the area for sales, storage and delivery areas (m²) for a Cannabis Retail Licence
- ✚ The Liquor & Cannabis Regulation Branch Application Form, as referred by the Province
- ✚ Current Liquor or Cannabis Licence, if applicable

2. Application Fees

The applicant shall pay the District of 100 Mile House an application fee in the amount set out in the current Fees & Charges Bylaw, and any amendments thereto.

3. Consideration of Applications

Applications for a local government resolution shall be presented to Council for consideration at a regular scheduled meeting of Council. A report shall be prepared for Council by the Planning Department that contains: details of the application; an evaluation of the proposal in accordance with the Liquor & Cannabis Regulation Branch criteria; a summary of referral responses; and a draft resolution for Council's consideration. Council may approve the draft resolution, amend the draft resolution and approve it, or provide no comment.

4. Public Consultation

The District of 100 Mile House will collect the views of residents that may be impacted by the application. These views shall be collected in accordance with the Hearing and Public Notice section below. The purpose of public consultation is to:

Liquor Licence

- ✚ Inform the public that the District has received a request for a local government resolution for a specific site, and if a Rezoning Application is required to facilitate this application.
- ✚ Identify the type of resolution applied for, the proposed occupant load, the proposed hours of liquor service, and any other information where applicable.
- ✚ Provide the time and date of the Hearing.



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- ✚ Outline any proposed changes to an existing liquor licence if the application is for an existing licenced facility.
Cannabis Retail Licence
- ✚ Inform the public that the District has received a request for local government resolution for a specific site.
- ✚ Identify the proposed business plan, and floor area plan, and setbacks from certain uses, the proposed hours of retail service, and any other information where applicable.
- ✚ Provide the time and date of the Hearing.
- ✚ Outline any proposed changes to an existing cannabis licence if the application is for an existing licenced facility.

Hearing

Council shall hold a public hearing, which will be advertised in accordance with the Public Notice section set out below. During the Hearing, Council may hear comments from the applicant and members of the public in relation to the application.

The Hearing may be combined with other relevant applications.

Public Notice

Written Notification

The Director of Economic Development & Planning shall provide written notification to owners or tenants in occupation of all parcels within a distance of sixty (60) metres from the subject property. The notification will be delivered at least 10 days prior to the Hearing date. The District may determine a larger area for written notification.

Newspaper Advertisement

The Director of Economic Development & Planning shall place an advertisement in two consecutive issues of the newspaper, in accordance with the *Local Government Act*.

5. Resolution Outline

The resolutions passed by Council shall take the form outlined by the Liquor & Cannabis Regulation Branch. The evaluation criteria are identified in Section D of the Liquor & Cannabis Licensing Policy.

Council may make a resolution conditional upon some term or condition; however, prior to doing so Council should ensure that the term or condition is within the jurisdiction of the Liquor & Cannabis Regulation Branch to impose or enforce.



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D. LOCAL GOVERNMENT RESOLUTION APPLICATION EVALUATION CRITERIA

1. Evaluation Matrix

An evaluation matrix for scoring and prioritizing applications for retail cannabis sales establishments has been developed. Complete applications will be evaluated by a multi-departmental committee against a scoring matrix, Council Policy, and Zoning Bylaw No. 1290. The Evaluation Matrix is attached to this policy as Attachment E.

Process

Step 1 - Only complete applications received by referral from the Liquor and Cannabis Regulation Branch (LCRB) will be evaluated by the evaluation committee as part of the first step in evaluation and processing.

Evaluation Committee

The evaluation committee is proposed to be comprised of one member from each of the following:

- CAO or Designate
- Planning Department
- Building Department
- One Member of Council

If members of the evaluation committee score an application differently, a total average score will be calculated. Applicants will be advised in writing of their application status, what their total application score was, and if their application was selected to move forward at this time.

Applications that receive a total score of at least 70% by the evaluation committee without infringing on the Zoning Bylaw, will be selected to move forward with the next step.

Step 2 – Step 2 consists of the Public Hearing and notification process.

Step 3 - Following the Public Hearing, District of 100 Mile House Council will make the final decision whether to provide a positive recommendation to the LCRB for license issuance.

Note: Council retains the full and final authority to approve or deny applications as it sees fit.



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2. Community Impact

Council may consider the following when providing a resolution with respect to a Liquor Licence or Cannabis Retail application:

- + Location of the establishment.
- + Proximity of the establishment to other social or recreational facilities and public buildings.
- + Proximity of the establishment to other similar establishments.
- + Occupant load and hours of liquor service for Liquor Licence Applications.
- + Floor plan of the retail, warehouse and delivery (m²), and proposed hours of operation for Cannabis Retail.
- + Traffic, noise, parking and zoning.
- + Population, density and trends.
- + Relevant socio-economic information.
- + Applicant's security plan.
- + Overall business proposal.
- + Whether the proposed amendment will result in the establishment being operated in a manner that is contrary to its primary purpose (i.e. Food Primary).
- + The hours of operation.
- + The impact on the community if the application is approved.
- + Any other criteria that Council considers relevant.

3. Hours

Council will consider the proposed hours of Liquor Service and Cannabis Retail uses. Council has established the maximum hours of operation for Cannabis Retail sales to be 9:00 a.m. to 11:00 p.m.

4. Location of Liquor Primary Establishments and Cannabis Retail

Staff will provide in a Report to Council a summary of surrounding land uses and the proximity of the nearest residential, institutional and liquor and cannabis retail uses for Council's consideration.

Liquor Licence

Council will consider suggested minimum separation between liquor primary licenced establishments on a case specific basis in consideration of the evaluation criteria in Section D.1.

Cannabis Retail Licence

Council has established that Cannabis Retail uses may be permitted with a minimum separation of 50 metres from other cannabis retail uses.