



TOWN OF SIDNEY

Report to Council

TO: Mayor and Council
FROM: Corey Newcomb, Senior Manager of Long Range Planning
DATE: October 6, 2020 Folder No. 9774 Third Street (Building)
SUBJECT: New Cannabis Retail Store Licence Referral
 102-9774 Third Street (Jima Retail Corp.)

PURPOSE:

To provide Council with initial information and options related to a referral from the Liquor and Cannabis Regulation Branch (LCRB) for a new cannabis retail store licence application at Unit 102-9774 Third Street for Jima Retail Corp. (*see Appendix A for an aerial photo of proposed location*).

DISCUSSION:

A referral from the LCRB for a new cannabis retail store licence application at the above address was received by staff on September 24, 2020. Under the Cannabis Control and Licensing Act Council can respond to the referral with a recommendation that a licence be issued or denied, or can choose not to make any recommendation at all.

As noted in the LCRB's referral letter, a decision not to make a recommendation would end the application as the LCRB may only issue a licence with a positive recommendation from the Town. If Council does wish to make comments and a recommendation (whether positive or negative) to the LCRB regarding this application, the Town must first gather the views of residents in a manner specified by Council.

Preliminary Analysis

Without receiving a full application package from the applicant, a full staff analysis of the proposal as per the Town's Liquor & Cannabis Licensing Policy No. DV-015 is not possible. However, in assisting Council with making their decision on whether or not to proceed with the application, staff have undertaken a preliminary analysis based on the proposed location of the store.

The proposed store location is approximately 50 metres south of Beacon Avenue on the west side of Third Street, midblock between Beacon Avenue and Bevan Avenue. The aerial photo in Appendix A also includes the 100 metre (328 foot) buffer area specified in Policy DV-015, which states that Council will consider the proximity of "other cannabis retailers, liquor stores, child care facilities, daycares, educational facilities, libraries, public recreation centres, public community centres, parks, places of worship and other family-oriented facilities" within this area. Based on this, the following establishments may be relevant for Council when considering this application:

- Scouts Canada Hall (9732 Third Street) – the Scout Hall is at the far edge of the buffer area and almost exactly 100 metres south of the proposed location, across Bevan Avenue. The proposed cannabis retail store would not be directly visible from the Hall.
- Sidney Museum (2423 Beacon Avenue) – Sidney Museum faces north on Beacon Avenue and is approximately 150 metres distant on a “door to door” basis. The proposed cannabis retail store would not be directly visible from the Museum.
- There are no liquor stores within 100 metres of the proposed location. The closest, Beacon Landing Liquor & More near the waterfront, is approximately 250 metres away.

Based on this initial assessment, staff are of the opinion that the proposed cannabis retail store appears to be in an acceptable location, sufficiently separated from any sensitive surrounding uses. The proposed location is also properly zoned for Cannabis Retail and meets the conditions of use.

Council’s options at this point in the process are as follows:

Option 1:

Council can decide not to make any recommendation at all. The Town would still be required to communicate this decision to the LCRB, and again, the LCRB would proceed no further with the application, because the legislation requires a positive recommendation in order for a licence to be issued.

Option 1 Example Resolution:

That staff be directed to respond to the Liquor and Cannabis Licensing Branch, indicating that the Town of Sidney will not be making any recommendation on the application for a cannabis retail store licence at 102-9774 Third Street (Jima Retail Corp.)

Option 2:

Based on the initial assessment above, Council may wish to proceed with the application by indicating to the applicant that they should make their application to the Town with a full application package as required by Policy DV-015.

This will provide further information on the proposed store, such as the façade treatment, signage and security-related information, which would be brought forward to Council upon receipt of a full application package. Staff would then provide Council with a full analysis of the proposed cannabis retail store based on Policy DV-015, as well as potential options for gathering the views of the community if Council wishes to make comments and recommendations on the referral back to the LCRB.

Option 2 Example Resolution:

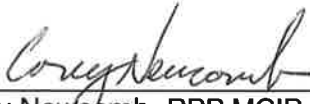
That staff be directed to communicate to the applicant, Jima Retail Corp., that Council will consider the LCRB’s referral of the application further, following the submission of a complete application to the Town in accordance with the requirements of Liquor & Cannabis Licensing Policy No. DV-015.

STAFF RECOMMENDATION:

That Council select Option 2.

Respectfully submitted,

I concur,



Corey Newcomb, RPP MCIP
Senior Manager, Long Range
Planning



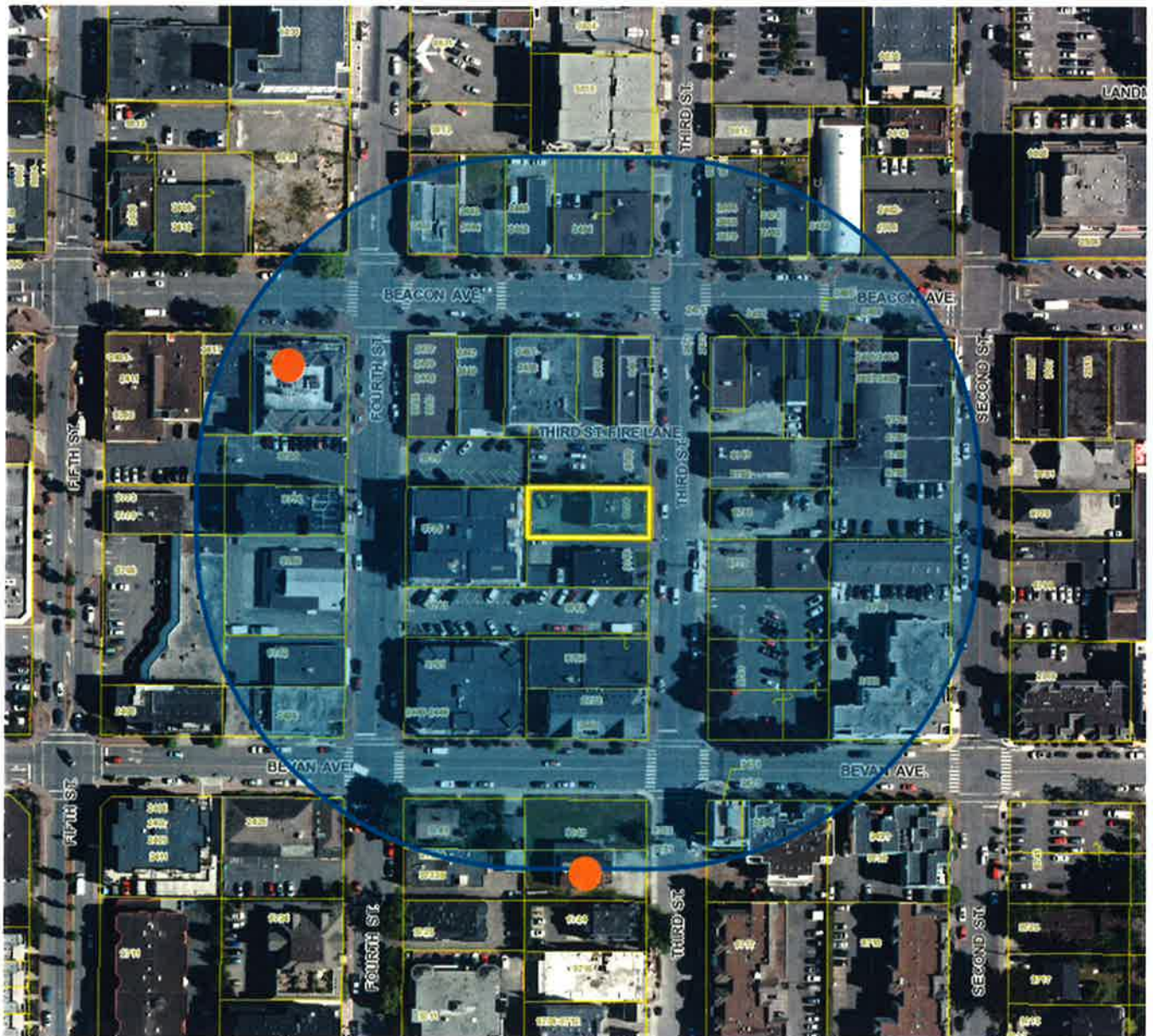
Randy Humble, MCIP, RPP
Chief Administrative Officer

Attachments:

Appendix A: Aerial photo of subject property and surrounding area

Appendix B: LCRB referral letter for Jima Retail Corp.

Appendix A: Aerial photo of 9774 Third Street (outlined in yellow), with 100 metre (328 feet) proximity buffer in blue. The Scout Hall and Sidney Museum are indicated as orange dots.





Job # 007123

September 24, 2020

Via email: cnewcomb@sidney.ca

Corey Newcomb
Acting Manager of Planning
Town of Sidney
2440 Sidney Avenue
Sidney, BC V8L 1Y7

Dear Corey Newcomb:

Re: Application for a Non-Medical Cannabis Retail Store Licence
Applicant: JIMA RETAIL CORP.
Proposed Establishment Name: Jima
Proposed Establishment Location: 102 - 9774 Third St, Sidney, V8L3A4

The Applicant, JIMA RETAIL CORP., has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) licence proposed to be located at the above-noted address. The applicant contact is KEVIN KERAIFF. They can be reached at 250-807-2269 or via email at kevinkeraiff@gmail.com.

Local governments and Indigenous nations are a crucial part of the licensing process. Section 33(1) of the *Cannabis Control and Licensing Act* prevents the LCRB from issuing a CRS licence without a positive recommendation regarding the CRS licence application from the local government or Indigenous nation.

The LCRB is requesting the city of Sidney to consider the application and provide the LCRB with a written recommendation with respect to the application. To assist with your assessment of the application, a site map of the proposed cannabis retail store is attached. The following link opens a document which provides specific and important information and instructions on your role in the CRS licensing process, including requirements for gathering the views of residents.

[Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores](#)

OR

[Indigenous Nations' Role in Licensing Non-Medical Cannabis Retail Stores](#)

The LCRB will initiate an applicant suitability assessment regarding this CRS application, also known as a "fit and proper" assessment of the applicant and persons associated with the applicant. Once the assessment is complete, you will be notified of the LCRB's determination. You may

**Liquor and Cannabis
Regulation Branch**

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

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

Website:
[www.gov.bc.ca/cannabisregulation
andlicensing](http://www.gov.bc.ca/cannabisregulationandlicensing)



choose to withhold your recommendation until the LCRB has made a final decision regarding the applicant's suitability.

If you choose not to make any recommendation regarding this application, please contact the LCRB at the earliest convenience. Please note that a Cannabis Retail Store Licence cannot be issued unless the LCRB receives a positive recommendation from the local government or Indigenous nation. Similarly, if a local government or Indigenous nation decides not to make any recommendation, the LCRB will not consider the application any further.

If you have any questions regarding this application, please contact me at 778-974-2798 or Kelly.Bourgeois@gov.bc.ca.

Sincerely,

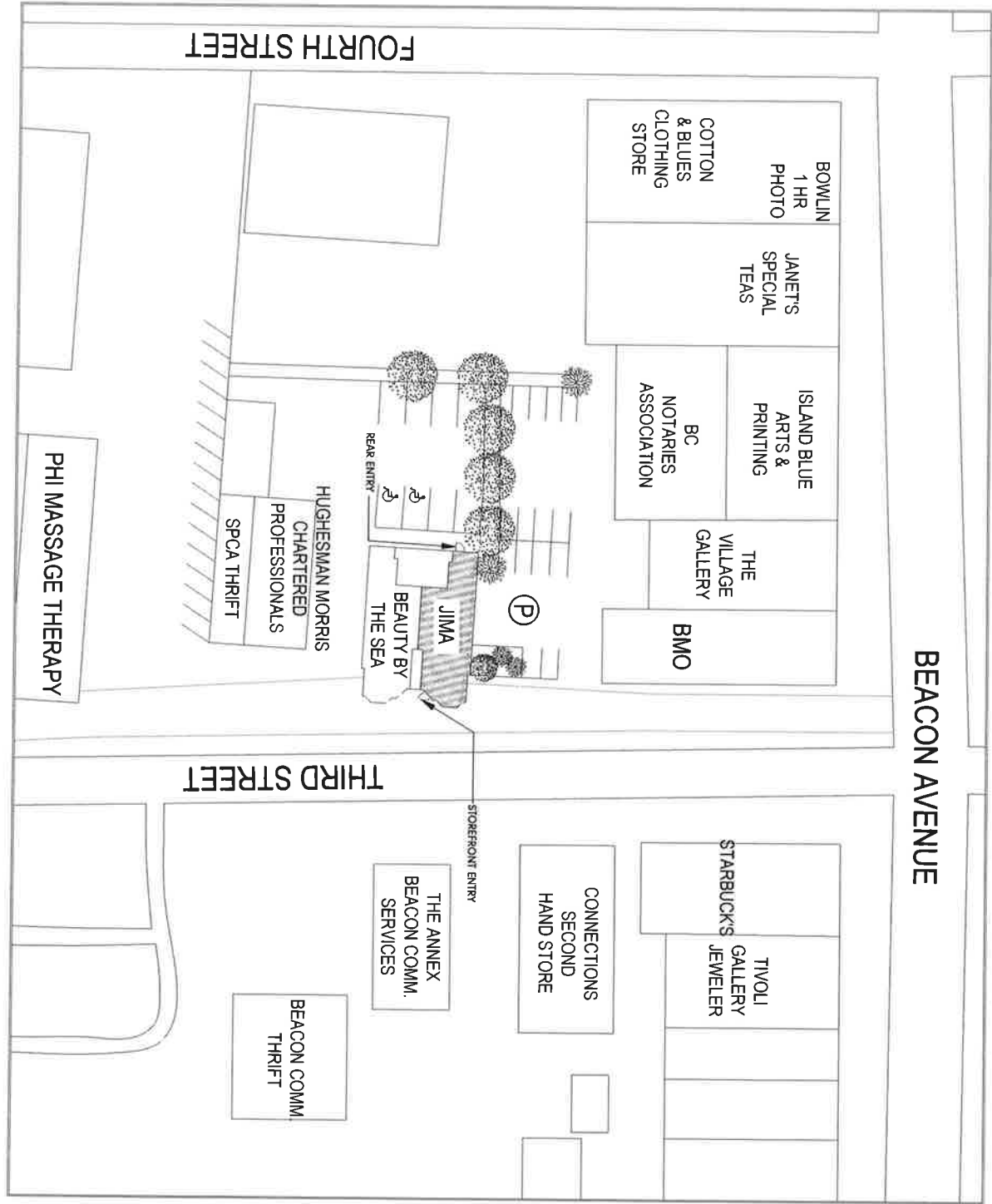
A handwritten signature in black ink, appearing to read "Kelly Bourgeois".

Kelly Bourgeois
Senior Licensing Analyst

Attachment

copy: Applicant, kevinkeraiff@gmail.com

site plan - #102-9774 Third Street, Sidney, BC



- NOTES**
- Parking lot at north side of building
 - Street parking at front of building
 - Accessible parking at rear of building