REPORT TO COUNCIL

DATE: September 20, 2018  REPORT NO.: 18-165

SUBMITTED BY: Alex Wallace  FILE NO.: 1-6-5.4
Development Services Manager

SUBJECT: Removal of the Prohibition of Retail Cannabis

PURPOSE
To present Council with an update to the Zoning Bylaws relating to removal of the prohibition of retail cannabis.

ANTICIPATED OUTCOMES
To permit the sale of cannabis within the City of Dawson Creek.

SUMMARY/BACKGROUND
On October 17, 2018, the government of Canada will legalize cannabis; this will allow for the retail sale of recreational cannabis. In anticipation of this Council prohibited the retail sale of cannabis within City limits, this was done to avoid legal nonconforming cannabis retail stores from opening. Council has taken a number of steps to prepare for legalization by updating the zoning, business licence and smoking bylaws. The final step to make the sale of cannabis legal in the City is the removal of the prohibition of retail cannabis sale and production clause from the zoning bylaw (see attached bylaw amendment). Staff recommends this amendment follows the following timeline:

- The first and second reading given on October 1st
- Third and Adoption on October 22nd

This aligns as close as possible with the legalization date, in the interim staff will process any application regarding cannabis in accordance with the bylaws adopted by Council.

ALTERNATIVES
1. That Council provide alternative direction to staff. This would delay the legalization of cannabis within the City of Dawson Creek.
IMPLICATIONS

(1) Social
Legalization of cannabis is a vast and complex issue. The regulation of the use and sale of cannabis, like tobacco and alcohol, has been a very controversial issue due to various moral, ethical, public health, legislative and logistic issues associated with the matter. These amendments may need to be revised when the legalization is passed by the Federal and Provincial government.

(2) Environmental
None anticipated.

(3) Personnel
Staff will work toward updating the bylaw amendments and prepare for the public hearing. All staff will work toward educating themselves about the new bylaws.

(4) Financial
Cannabis retail stores will pay a $100.00 application fee and a $2,500.00 business licence fee.

(5) Risk Assessment
Compliance: All prior cannabis related bylaw amendments were formed by information gathered through research, the public consultation process and the requirements of federal and provincial legislation and objectives.

Risk Impact: Low.

Internal Control Process: Bylaw amendments are being considered and approved by Council. Staff follows checklists for all zoning bylaw amendments.

GUIDING PRINCIPLES
Trust and Integrity: We will have a reputation for acting with integrity and will earn the trust of our stakeholders by working to develop positive relationships.

Governance: We will strive to make decisions that reflect the needs and desires of our community by encouraging a wide range of agencies and citizens to take a meaningful role in decision-making.

STRATEGIC PRIORITIES
N/A

IMPLEMENTATION/COMMUNICATION
Should Council give first and second readings to Zoning Amendment Bylaw No. 4396, 2018, the required advertising will be published in the local newspaper in accordance with the Local Government Act and included on the City’s website. A public hearing will be held prior to the next Council meeting and the bylaw will be included on the regular agenda for consideration of third reading and adoption.
RECOMMENDATION
That Report No. 18-165 from the Development Services Manager re: Removal of the Prohibition of Retail Cannabis be received; further, that the Zoning Amendment Bylaw No. 4396, 2018 be given first and second readings.

Respectfully submitted,

ORIGINAL SIGNED BY

Alex Wallace
Development Services Manager

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Attachment:
Zoning Amendment (18-06) Bylaw No. 4396, 2018