



# THE CORPORATION OF THE CITY OF NELSON

INTRODUCTION OF

## MEDICAL CANNABIS REGULATION BYLAW

and associated

### Zoning Amendment Bylaw

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## Introduction of the Medical Cannabis Business Licence Regulations

The City of Nelson is introducing regulations for medical cannabis businesses, to reduce the community impacts of these businesses while maintaining access to medical cannabis. The establishment of regulations is a result of information received at a public hearing held in November 2016.

The City's regulations are for businesses selling cannabis for medical purposes. Adoption of the regulations will not legalize or permit the sale of cannabis; this is the jurisdiction of the Federal Government. It should be noted that these will be interim regulations that will either be withdrawn or changed once the Federal and Provincial regulations are in place.

### Background Information:

- The draft bylaws are based on the best practices in the Province. They are modeled after regulations established in the City of Victoria, City of Vancouver and the District of Squamish.
- The \$5,000 fee is established to provide for the regulation of the dispensaries solely by the City. The business licence fee for Cannabis dispensaries reflects the regulatory and enforcement responsibility that will be required by the City. The City of Victoria and the District of Squamish charge \$5,000 while the City of Vancouver charges \$30,000.
- The regulation of businesses such as liquor establishments are the responsibility of the Province who have their own staff and levy significant fees and taxes on alcohol and these businesses. These fees and taxes are in addition to the business license fee of the City.
- The City will permit the use in specified zones (C1 and MU4) with additional requirements limiting proximity to certain facilities and each other as modeled after the municipalities identified above and modified to meet Nelson's smaller footprint.
- The Province recently relaxed regulations for the proximity of Licencee Retail Stores otherwise known as a Private Liquor Stores from 5km to 1km.
- Applicants will be able to apply to Council to vary the proximity requirements in the Zoning Bylaw if necessary. The fee for a minor Development Variance Permit will be either \$500 or \$750 depending on whether one or two variances are required. The City

of Victoria requires all dispensaries to apply for rezoning at a fee of \$7,500, the City of Vancouver requires a Development Permit process at a fee ranging between \$800 and \$5,200.

- This will be an applicant based system. Council will consider all applicants that meet the proposed requirements in the business licencing and zoning bylaws. There is a cap of six (6) licences as Council heard the current dispensaries were meeting the needs of the community and region.
- Existing cannabis dispensaries will be allowed to continue to operate until their application and any necessary variances are considered by Council. If approved a business license will be issued.
- This is an interim step for medical cannabis dispensaries only. It may be two to three years before the federal and provincial regulations are put in place.
- Council intends to launch a full community consultation process in 2017 or early 2018 in anticipation of the legalization and regulation of recreational marijuana.

The City wants your input and your concerns regarding the medical cannabis regulations. Anyone wishing to provide comments on the draft bylaw must deliver comments to the City of Nelson prior to **4:00pm on January 25, 2017**.

### **Submit your comments to:**

City of Nelson, 101-310 Ward Street, Nelson BC, V1L 5S4

**OR** by email to: [jcaldecott@nelson.ca](mailto:jcaldecott@nelson.ca)

### **VIEW THE DRAFT BYLAWS:**

[Medical Cannabis Business Licence Bylaw](#)

[Zoning Amendment Bylaw](#)

[Zoning Map](#)

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