

# District of Barriere

# PLANNING REPORT

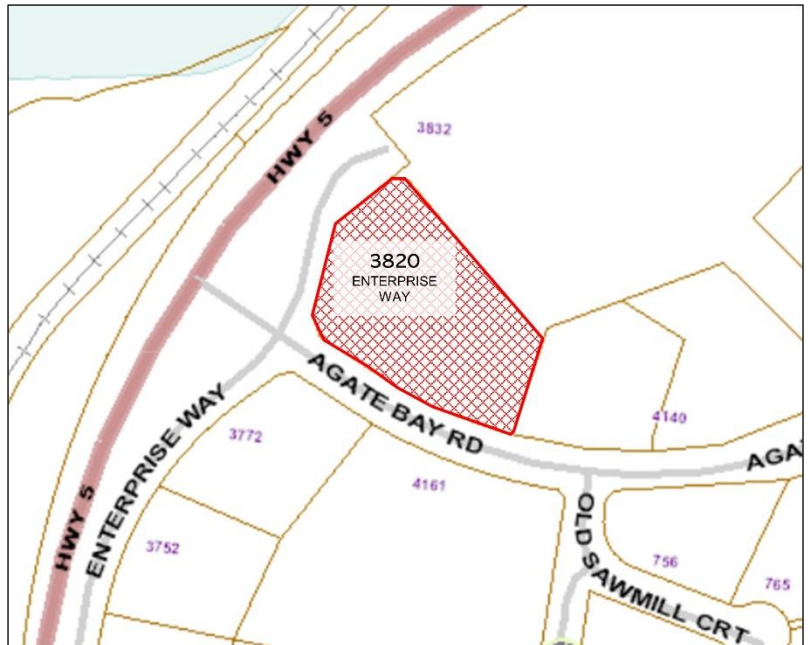
## RZ-23-01 Smile: 3820 Enterprise Way – Application for Cannabis Sales Zoning Amendment

**Background:** The subject property includes the current location of Smile Cultivation Ltd., located at 3820 Enterprise Way in the Louis Creek Industrial Park. It is currently zoned *I – Industrial*. The property is designated Industrial in the District's Official Community Plan and is serviced by municipal water but also has a private well which is used as the main water source for operations. The site is also serviced by a private septic system.

Smile Cultivations Ltd. currently holds a Micro-cultivation and Micro-processing license issued by the Federal Government of Canada. The Province has introduced a new cannabis retail licence that allows eligible federally licensed cannabis producers to sell non-medical cannabis products from stores located at their cultivation site. The producer retail store (PRS) licence came into effect on Nov. 30, 2022, through the Liquor and Cannabis Regulation Branch's (LCRB) liquor and cannabis licensing portal. All federal standard cultivator, micro-cultivator and nursery licence-holders are eligible to apply which includes Smile Cultivation Ltd.

The licence was created as part of the Province's commitment to enable farm-to-gate cannabis sales in British Columbia. It is intended to support the development of a robust, diverse and sustainable legal cannabis economy that is inclusive of Indigenous and rural communities.

Cannabis retail sales are only permitted in Barriere subject to a successful site-specific zoning amendment and a Provincial Licence. The Liquor Control and Licensing Branch has been renamed to the Liquor and Cannabis Regulation Branch (LCRB) to represent its new additional responsibility of licensing and monitoring the retail sale of non-medical cannabis in British Columbia. Should this property be successful in its rezoning application to allow the additional permitted use of "Cannabis Sales" to its Industrial Zone, the property owner must still apply and be successful in obtaining a Provincial license in order to offer retail sales of non-medical cannabis. Part of that LCRB approval process includes a request from the LCRB to the local government, for a resolution of Council confirming municipal support of the application. It is staff's recommendation that should this rezoning be successful, that prior to Council providing a resolution of support at the LCRB's request, that the illegally placed C-can located outside of the subject property on the District right-of-way, be removed and re-placed within the subject property and conforming to all setback requirements. The applicant has verbally indicated agreement to staff on this item.



This is the third retail license for cannabis application submitted to the District of Barriere. The first application was at the Barriere Motor Inn property which has been approved and finalized, and the second was an application for a location in the downtown core, which was subsequently not approved

by Council after the closing of its public hearing with the main objections heard being due to the town center location.

**Discussion:** On January 23, 2023, Council considered the draft Zoning Bylaw amendment by passing its first reading and legislated notice has been advertised and otherwise delivered to adjoining property owners. No comments, written or otherwise, have been received by staff as of end of day, February 17<sup>th</sup>, 2023.

Following the adjournment of this Public Hearing on February 21, 2023, should Council pass 2<sup>nd</sup> and 3<sup>rd</sup> readings, the bylaw will be sent to the Ministry of Transportation and Infrastructure for sign-off as per Section 52 of the *Transportation Act* which is required due to the distance of a controlled access highway. Once that step is completed, the bylaw will return to Council for final adoption.

The rezoning proposed is as follows:

2.1 That Section **13.1 – Permitted Uses** be amended by adding the following provision to the table row heading “*Permitted Uses – Site Specific*”:

- 3820 Enterprise Way – an additional principal use of “Cannabis Sales”.

***Recommendation: That Council proceed with 2<sup>nd</sup> and 3<sup>rd</sup> readings of Zoning Bylaw No. 111, Amendment Bylaw No. 227.***

*Prepared by: T. Buchanan, Corporate Officer*

**DISTRICT OF BARRIERE**

**DRAFT BYLAW NO. 227**

A BYLAW TO AMEND  
"DISTRICT OF BARRIERE ZONING BYLAW NO. 111, as amended"

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WHEREAS an application (RZ-23-01) for amendment to District of Barriere Zoning Bylaw No. 111 has been made;

AND WHEREAS the desirable changes in uses of Land and Buildings have been considered;

AND WHEREAS the zoning amendment conforms to the District of Barriere Official Community Plan;

NOW THEREFORE, the Council of the District of Barriere, in open meeting assembled, enacts as follows:

1. **CITATION**

- 1.1 This bylaw may be cited as "District of Barriere Zoning Bylaw No. 111, Amendment Bylaw No. 227."

2. **PURPOSE**

- 2.1 That Section **13.1 – Permitted Uses** be amended by adding the following provision to the table row heading "*Permitted Uses – Site Specific*":

- |  |
|--|
| <ul style="list-style-type: none"><li>• 3820 Enterprise Way – an additional principal use of "Cannabis Sales".</li></ul> |
|--|

- 2.2. The map attached hereto as Schedule 'A' is incorporated in and forms part of this bylaw.

READ A FIRST TIME this **23<sup>rd</sup>** day of **January, 2023**

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2023

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2023

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2023

Approved Under Section 52 of the Transportation Act this \_\_\_\_\_ day of \_\_\_\_\_, 2023

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*Authorized Signatory MOTI*

**RECONSIDERED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, **2023** .

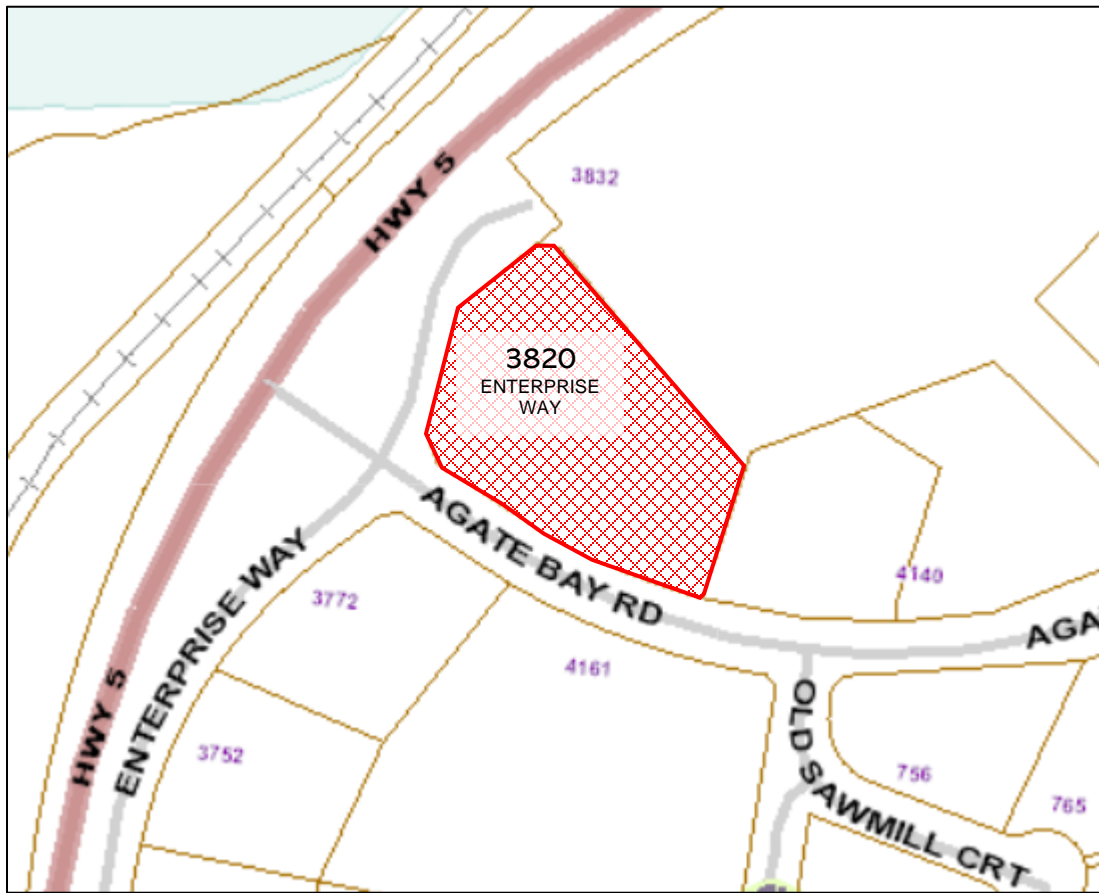
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Ward Stamer, Mayor

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Tasha Buchanan, Corporate Officer

## SCHEDULE 'A'



This Schedule 'A' is incorporated in and forms part of  
**DRAFT** District of Barriere Bylaw No. 227

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Certified Correct: Corporate Officer



Licence No. - N° de licence  
LIC-UOPD4RURGG-2022

**LICENCE**

This licence is issued in accordance with the *Cannabis Act* and *Cannabis Regulations*

**LICENCE**

Cette licence est délivrée conformément à la *Loi sur le cannabis* et le *Règlement sur le cannabis*

**Licence Holder / Titulaire de la licence :**  
Smile Cultivation Ltd.

**Licensed Site / Lieu autorisé :**  
3820 ENTERPRISE WAY  
BARRIERE, BC, CANADA, V0E 1E1

The above-mentioned person is authorized to conduct, at the site specified on this licence, the activities listed below for the following licence classes and subclasses.

La personne susmentionnée est autorisée à effectuer, sur le site spécifié sur cette licence, les activités énumérées ci-dessous pour les catégories et les sous-catégories de licence suivantes.

**Micro-cultivation**

**Micro-culture**

Activités	Activités
<ul style="list-style-type: none"><li>To possess cannabis</li><li>To obtain dried cannabis, fresh cannabis, cannabis plants or cannabis plant seeds by cultivating, propagating and harvesting cannabis</li><li>For the purposes of testing, to obtain cannabis by altering its chemical or physical properties by any means</li><li>To sell cannabis in accordance with subsection 11(5) of the Cannabis Regulations</li></ul>	<ul style="list-style-type: none"><li>Avoir du cannabis en sa possession</li><li>Obtenir du cannabis séché, du cannabis frais, des plantes de cannabis ou des graines provenant de telles plantes par la culture, la multiplication et la récolte de cannabis</li><li>Afin d'effectuer des essais sur du cannabis, obtenir du cannabis par l'altération, par tout moyen, de ses propriétés physiques ou chimiques</li><li>Vendre du cannabis en vertu du paragraphe 11(5) du Règlement sur le cannabis</li></ul>
Conditions	Conditions
The licence holder must meet the requirements set out in the Health Canada document entitled "Mandatory cannabis testing for pesticide active ingredients - Requirements".	Le titulaire de la licence doit respecter les exigences énoncées dans le document de Santé Canada intitulé « Analyse obligatoire du cannabis pour les résidus de principes actifs de pesticides-Exigences ».

**Micro-processing**

**Micro-transformation**

Activités	Activités
<ul style="list-style-type: none"><li>To possess cannabis</li><li>To produce cannabis, other than obtain it by i) synthesis, or (ii) cultivating, propagating or harvesting it</li><li>To sell cannabis in accordance with subsection 17(5) of the Cannabis Regulations</li></ul>	<ul style="list-style-type: none"><li>Avoir du cannabis en sa possession</li><li>Produire du cannabis, sauf en l'obtenant par l'une des méthodes suivantes (i) la synthèse, ou (ii) la culture, la multiplication ou la récolte</li><li>Vendre du cannabis en vertu du paragraphe 17(5) du Règlement sur le cannabis</li></ul>
Conditions	Conditions
The only cannabis products that the licence holder may sell or distribute to (i) a holder of a licence for sale, and (ii) a person that is authorized under a provincial Act referred to in subsection 69(1) of the Act to sell cannabis, are as follows: cannabis plants; cannabis plant seeds; dried cannabis; and fresh cannabis.	Les seuls produits du cannabis que le titulaire de la licence peut vendre ou distribuer (i) à un titulaire d'une licence de vente et (ii) à une personne autorisée sous le régime d'une loi provinciale visée au paragraphe 69(1) de la Loi à vendre du cannabis sont les suivants : plantes de cannabis; graines provenant d'une plante de cannabis; cannabis séché; et cannabis frais.
The only cannabis products that the licence holder may send or deliver to the purchaser at the request of (i) a holder of a licence for sale, and (ii) a person that is authorized under a provincial Act referred to in subsection 69(1) of the Act to sell cannabis, are as follows: cannabis plants; cannabis plant seeds; dried cannabis; and fresh cannabis.	Les seuls produits du cannabis que le titulaire de la licence peut expédier ou livrer à l'acheteur à la demande (i) d'un titulaire d'une licence de vente et (ii) d'une personne autorisée sous le régime d'une loi provinciale visée au paragraphe 69(1) de la Loi à vendre du cannabis sont les suivants : plantes de cannabis; graines provenant d'une plante de cannabis; cannabis séché; et cannabis frais.

Acting Director, LICencing and Security, Controlled Substances and Cannabis Branch

Directrice par intérim, Licences et sécurité Direction générale des substances contrôlées et du cannabis

**From:** [DA, KAM HMH](#)  
**To:** [Tasha Buchanan](#)  
**Subject:** RE: Referral - Rezoning Application - Agate Bay Rd. Louis Creek Industrial Park  
**Date:** February 13, 2023 4:44:41 PM  
**Attachments:** [RZ 23 01 Smile Referral Package.pdf](#)

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Hi Tasha, Thank you for your email concerning the rezoning of the above property.

After reviewing our records regarding this application for the property located as noted above, BC Hydro has no objection to this proposal at this time.

Thank you.  
Ed Ashton

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**From:** Tasha Buchanan <[tbuchanan@barriere.ca](mailto:tbuchanan@barriere.ca)>  
**Sent:** 2023, January 24 3:59 PM  
**To:** DA, KAM HMH <[Kamloops.HMH.DA@bchydro.com](mailto:Kamloops.HMH.DA@bchydro.com)>  
**Subject:** [External] Referral - Rezoning Application - Agate Bay Rd. Louis Creek Industrial Park

**Security Risk Assessment: HIGH**

The email is from <[tbuchanan@barriere.ca](mailto:tbuchanan@barriere.ca)> with a friendly name of [Tasha Buchanan](#)  
<[tbuchanan@barriere.ca](mailto:tbuchanan@barriere.ca)>

**DO NOT click on links or open attachments** unless you trust the sender and are expecting the link or attachment.

If you suspect this message to be phishing, please report it to BC Hydro [Phishing Support](#)

Good afternoon,

Please find the attached information regarding an application for a site-specific additional permitted use application submitted to the District of Barriere. The Public Hearing has been scheduled for Tuesday, February 21<sup>st</sup>, 2023 at 7pm. If you have any comments, concerns or have any questions, please don't hesitate to reach out. Any comments you may have would be greatly appreciated prior to February 21<sup>st</sup>.

Respectfully,

**Tasha Buchanan, CMC**

Corporate Officer

District of Barriere

250-672-9751

[www.barriere.ca](http://www.barriere.ca)

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