



---

## STAFF REPORT

---

**TO:** CHIEF ADMINISTRATIVE OFFICER  
**FROM:** BRIGID REYNOLDS, CONSULTING TOWN PLANNER  
**SUBJECT:** TUP2026-02 – 88A COWICHAN LAKE RD  
**MEETING DATE:** MARCH 24, 2026  
**SUBJECT PROPERTY:** LOT A, SECTION 6, RENFREW DISTRICT, PLAN EPP113702 (PID 031-505-261)

---

### PURPOSE

The purpose of this application is to consider a temporary use permit (TUP2026-02) for a non-medical cannabis retail store, Trees Cannabis Superstore, at 88A Cowichan Lake Rd.

### BACKGROUND

The subject property is located in the General Commercial (C-1) zone district in a recently constructed commercial building. The unit is 134.6 m<sup>2</sup> (1448.5 ft<sup>2</sup>) in size.

The application was referred to the Town by the BC Liquor and Cannabis Regulation Branch (LCRB) seeking confirmation that the Town would 'accept' the application for review. Council, at its regular January 27<sup>th</sup>, 2026, meeting passed the following motion to accept LCRB's application for a cannabis retail outlet:

1. *Council inform the LCRB that it 'accepts' the application for a cannabis retail outlet proposed to be located at Unit 1A - 88 Cowichan Lake Rd, legally described as Lot A, Section 6, Renfrew District, Plan EPP113702*  
AND
2. *As part of the TUP application, it is subject to policy 4.10 and the applicant is required to post a sign on the subject property, notice is sent to neighbours within 50 m of the subject, posted on the Town's Facebook page and Town's website, and Council holds a public hearing prior to its consideration of the TUP.*

Council's motion of January 27 allowed the applicant to move to the next step in the LCRB's process which is to complete a 'fit and proper assessment' that includes security screening and financial integrity checks. The applicant filed their TUP application.

To assist with considering these types of applications on November 26<sup>th</sup>, 2019, Council adopted the Cannabis Retail Sales Policy by resolution (R.157(5)/19. The policy is Attachment 1 to this report.

### ***Zoning Bylaw***

The subject property is located in the C-3 zone district and retail store is a permitted use.

Zoning Bylaw Section 2.5 grants Council the authority to issue temporary use permits in all commercial, industrial and water recreation zones. And according to Zoning Bylaw Section 4.3.17 f. cannabis retail stores are not permitted, except in accordance with the approval of a Temporary Use Permit and the Cannabis Retail Sales Policy of Council.

Zoning Bylaw Schedule 3 requires four parking stalls based on the size of the retail space. There is sufficient parking at the rear of the building.

### ***Policy***

The proposed application is consistent with the guidelines in the Council policy:

- The storefront is located more than 100 m from a group day care and the Palsson Elementary School building, but within 100 m of the school property. The School District has provided a response not in support of the application and it is in Attachment 2.
- There is one other cannabis retail store in Town located more than 300 m from the proposed location. The policy suggests a maximum of two stores be permitted.
- This would be the only cannabis retail store on this lot, and it is a standalone business.
- The sign will be consistent with the sign bylaw

### ***Referrals/Public Comments***

Notices of the application were sent to RCMP, School District 79, the CVRD and Ts'uubaa-asatx Nation. Their responses are in Attachment 2. In summary, responses were received from the RCMP's Sergeant Mack, CVRD Planning Manager, Mike Tippett and School District Secretary-Treasurer Jason Sandquist. The RCMP's responded that upon reviewing the application they did not see anything adverse with it and noted that the LRBC is responsible for ensuring compliance with the Act. The CVRD response noted that the subject property is in the heart of the Town's Commercial area and not near any of its electoral areas, therefore their interests are not affected. The School District states they oppose the application and will file an objection to any site-specific zoning within 300 m of schools and note that the proposed store is within 300 m of Palsson Elementary School.

No public comments were received as a result of the notification.

All comments received from the referral agencies and community members will be sent to the LCRB with Council’s recommendation on the application.

The *Local Government Act*, Section 497 establishes a 3-year term for TUPs and allows for one renewal<sup>1</sup>. The Act allows Council to establish permit conditions regarding the issuance of the TUP.

## **IMPLICATIONS**

**a. Financial:**

Application fees are collected to cover the cost of processing the application.

**b. Policy/Legislation:**

The application has been reviewed against Council’s policy for cannabis retail stores and is generally consistent with it.

The proposal requires approval by the LCRB pursuant to the *Cannabis Control and Licensing Act*.

A business license would also be required to be issued by the Town, should the TUP be approved.

**c. Strategic Priority:**

N/A

**d. Sustainability:**

N/A

**e. Communication:**

As required by the Development Approval Procedures Bylaw No. 1109 and with Council’s Cannabis Retail Policy, a sign has been posted on the subject property, notice of the TUP was sent to neighbours within 50 m of the subject property, and referrals were sent to the RCMP, School District 79, CVRD, and Ts’uubaa-asatx Nation. All comments received for this application are in Attachment 2.

**f. Staffing Implication:**

Processing this application is part of the Planning Department’s regular duties.

## **Conclusion**

The proposal appears to be consistent with Council’s policy on this matter. Should Council approve TUP2026-02, the Trees Cannabis Superstore could not open until the LCRB issues its approval.

---

<sup>1</sup> While the legislation only permits one renewal of a TUP, an applicant may apply for, and Council may choose to approve a new TUP.

## **Options**

- 1) Approve the temporary use permit for this application.
- 2) Approve the temporary use permit with additional requirements.
- 3) Deny the temporary use permit for this application.

**CAO's Comment:** This is a matter of political discretion of Council.

## **Recommendation**

The Contract Planner recommends approval of TUP2026-02 for the non-medical cannabis retail store, Trees Cannabis Superstore. at 88A Cowichan Lake Rd, legally described as Lot A, Section 6, Renfrew District, Plan EPP113702 (PID 031-505-261).

Signed:

***Brigid Reynolds***

Brigid Reynolds RPP MCIP  
Contract Planner

Concurrence:

John Thomas  
Chief Administrative Officer

**ATTACHMENT 1**  
**Council Policy R.157 (5)/19**



**TOWN OF LAKE COWICHAN**

**COUNCIL POLICY**

DATE APPROVED: November 26<sup>th</sup>, 2019  
APPROVED BY: Resolution No. R. 157 (5) /19  
SUBJECT: Cannabis Retail Sales Policy

---

**1. PURPOSE:**

This policy provides a framework for the process to authorize the sale of cannabis and cannabis related products within the Town of Lake Cowichan on referral by the Liquor and Cannabis Regulation Branch.

As the Town is stepping into unchartered territory, the Town will commence review of applications on a case by case basis through a two pronged approach: first by the issuance of temporary use permits for the retail sale of cannabis products for recreational use after appropriate review under established criteria and the legislative framework of the Province of British Columbia which includes the *Local Government Act*, the *Community Charter*, and the *Cannabis Control and Licensing Act*; second consider amendment of the Town's Zoning Bylaw on application by the prospective retailer to authorize the continued sale of cannabis products at the specific location considered suitable by the Town should the pilot programme for TUP's prove successful.

**2. SCOPE:**

This policy is intended to guide Council when considering applications for temporary use permits, as well as for provincial licensing referrals for retail cannabis sales. Each application will be evaluated on its own merits.

**3. ROLE OF THE PROVINCIAL LIQUOR AND CANNABIS REGULATION BRANCH (LCRB):**

Applicants for a non-medical cannabis retail store licence must first submit a licence application to the LCRB.



Only when an application is received by the LCRB, will it notify the local government of the area where the proposed store is proposed to be located.

The recommendations and comments of the Town provided to the LCRB must meet the regulatory requirements currently in place. If the recommendation of the Town does not meet the regulatory requirements, the LCRB will ask the local government to provide new or amended comments that address outstanding issues.

The Province is ultimately responsible for issuing licences for non-medical cannabis retail stores. A license for a cannabis retail will not be issued if a positive recommendation is not received or no response is received from the Town.

The LCRB expects the local government to consider each application separately.

#### **4. CRITERIA AND GUIDING PRINCIPLES:**

- 4.1 Retail cannabis use under a temporary use permit must be in a commercial or industrial zone, including areas zoned for retail use in a Land Use Bylaw.
- 4.2 No more than two cannabis retail stores may be permitted
- 4.3 Only one retail cannabis sales storefront will be allowed on a parcel.
- 4.4 A cannabis retail store must be a standalone business.
- 4.5 All referred applications will have to pay the requisite applicable fees.
- 4.6 Impact of the cannabis retail store to the neighbourhood and the Town, in general.
- 4.7 Guiding, but not prescriptive, rules:
  - (a) 100 meters from a school or group daycare;
  - (b) Specified hours of operation of a cannabis retail store;
  - (c) Proposed size of the retail store;
  - (d) Overall design character is visually pleasant;
  - (e) Specifications and form of signage is discreet;
  - (f) Potential impact to the neighbourhood; and
  - (g) Any other conditions that may be imposed by Council.



- 4.8 The operation of the cannabis retail outlet must be in accordance with the terms of the Temporary Use Permit, Provincial Cannabis Regulatory Framework or the Zoning Bylaw, as amended.
- 4.9 The application for consideration must be one that has been accepted by the Liquor and Cannabis Regulation Board (LCRB).
- 4.10 The Town will refer all retail cannabis sales applications to School District #79, Lake Cowichan RCMP, and jurisdictional neighbours for up to 30 days to ensure that their comments are considered in Council's decision.
- 4.11 A public notification and consultation process must follow before approval of a license can be considered.
- 4.12 If the Town wishes to impose terms and conditions, apart from the terms and conditions contained in the business or zoning bylaws prior to LCRB issuing a license, the Town is required to consult with LCRB before finalizing its conditional recommendation.
- 4.13 Staff will also include an analysis of each application's compliance with this Policy as part of the staff report to Council.

**5. POLICY REVIEW**

This policy may be subject to periodic review.

\_\_\_\_\_  
Chief Administrative Officer



**Attachment 2  
Referral Comments**



175 Ingram Street  
Duncan, BC V9L 1N8  
www.cvrld.bc.ca

Office: 250.746.2500  
Fax: 250.746.2513  
Toll Free: 1.800.665.3955

March 16, 2026

File: 3020-30 TLC 2026 TUP 88A Cowichan Lake Rd

Brigid Reynolds, RPP, MCIP, MCP  
Town of Lake Cowichan  
P.O. Box 860, 39 South Shore Road  
**LAKE COWICHAN BC V0R 2G0**

Via email: [b.reynolds@lakecowichan.ca](mailto:b.reynolds@lakecowichan.ca)

Dear Brigid;

**Re: Proposed Temporary Use Permit, 88A Cowichan Lake Road**

Thank you for your referral of the above-noted TUP application to the Cowichan Valley Regional District (CVRD). The CVRD has a general external referral policy that covers land use applications such as zoning, and the policy delegates staff to respond.

I note that the subject property is in the heart of the commercial area of the Town and not especially near the Electoral Area F or Electoral Area I boundaries, so I believe that CVRD interests are not affected by this application.

Best regards,

A handwritten signature in cursive script, appearing to read "Mike Tippett".

Mike Tippett, MRM, RPP, MCIP  
Manager, Community Planning Division  
Land Use Services Department

MT/lkp

pc. Board Directors

COWICHAN VALLEY REGIONAL DISTRICT

The logo for the Town of Cowichan, featuring the word "cowichan" in a lowercase, rounded, sans-serif font.



FROM THE OFFICE OF THE SECRETARY TREASURER

March 3, 2026

Brigid Reynolds  
Contract Planner  
Town of Lake Cowichan

Via email: [b.reynolds@lakecowichan.ca](mailto:b.reynolds@lakecowichan.ca)

Dear Ms. Reynolds

Re: Temporary Use Permit application (TUP2026-02) for 88A Cowichan Lake Rd Lot A, Section 6, Renfrew District, Plan EPP113702

Thank you for the opportunity to provide feedback on the application for a proposed non-medical cannabis retail store on the property at 88A Cowichan Lake Rd.

The Board of Education's *Policy 20 – Cannabis Retail Facilities* was adopted by the Board on October 1, 2019. It states that:

"The Board of Education recognizes that youth are particularly vulnerable to the effects of cannabis, which is linked to health, educational and social problems. Cannabis use can change the way that the brain grows and develops up until at least age 25. The Board supports the implementation of the Island Health recommendations in regards to proximity of Cannabis Retailers to schools.

**Specifically**

The Board will file objection to any site specific zoning within 300 meters of schools, and review any applications within 300 to 600 meters from a school site."

As 88A Cowichan Lake Rd is within 300 meters of Palsson Elementary School, the Board is opposed to allowing a retail cannabis site.

Please let me know if any further response or clarification is requested.

Yours truly,

A handwritten signature in black ink that reads "Jason Sandquist".

Jason Sandquist, CPA, CGA, BAccS  
Secretary-Treasurer

cc Chair of the Board of Education

2557 Beverly Street, Duncan BC  
250-748-0321  
[www.sd79.bc.ca](http://www.sd79.bc.ca)

Our Journey is **Beyond Education**

## **Brigid Reynolds**

---

**From:** Mack, Kevin (RCMP/GRC)  
**Sent:** March 2, 2026 11:59 AM  
**To:** Brigid Reynolds  
**Subject:** RE: Referral from Town of Lake Cowichan

Good morning Brigid,

I reviewed the application and do not see anything adverse in this application. The location appears to be a commercial location with an application before the BC Liquor and Cannabis Board who will ensure compliance with the Act. Thank you for ensuring I am aware of this and if anything additional comes to mind I will advise.

-----Original Message-----

**From:** Admin <admin@lakecowichan.ca>  
**Sent:** March 2, 2026 11:31 AM  
**To:** Mack, Kevin (RCMP/GRC)  
**Subject:** Referral from Town of Lake Cowichan

Good morning Sergeant Mack.  
Please find attached a copy of a letter from the Town on a referral to the RCMP, School District and Ts'uu-baa-asatx First Nation.

With thanks  
Roni-Lee

Roni-Lee Roach, Executive Secretary  
T 250.749.6681 @ Ext#108 F 250.749.0281  
Town of Lake Cowichan 39 South Shore Rd., Box 860, Lake Cowichan, BC CANADA V0R 2G0

-----Original Message-----

**From:** ScannerHVE <Scannerhve@lakecowichan.ca>  
**Sent:** March 2, 2026 10:47 AM  
**To:** Admin <admin@lakecowichan.ca>  
**Subject:** Message from "RNP583879A0C375"

This E-mail was sent from "RNP583879A0C375" (IM C6010).

Scan Date: 03.02.2026 10:46:55 (-0800)  
Queries to: ScannerHVE@lakecowichan.ca

1