



STAFF REPORT

TO: CHIEF ADMINISTRATIVE OFFICER
FROM: BRIGID REYNOLDS, CONSULTING TOWN PLANNER
SUBJECT: LCRB REFERRAL FOR NON-MEDICAL CANNABIS RETAIL OUTLET
MEETING DATE: JANUARY 27, 2025
SUBJECT PROPERTY: LOT A, SECTION 6, RENFREW DISTRICT, PLAN EPP113702 – UNIT 1A - 88
COWICHAN LAKE RD

PURPOSE

To provide a response to the BC Liquor and Cannabis Regulation Branch (LCRB) for a proposed new non-medical cannabis retail outlet.

BACKGROUND

The Town has received a referral from the LCRB for a proposed new cannabis retail outlet to be located at Unit 1A – 88 Cowichan Lake Rd (See Attachment 1). The LCRB approval process requires the Town to ‘accept’ or ‘not accept’ the application. Should Council ‘accept’ the application, the LCRB can begin a fit and proper assessment which may include security screening and financial integrity checks to assess the suitability of the applicant. Council’s acceptance of this referral does not grant Council approval of the use in Town. But this process can occur at the same time as the Town’s review of the application.

The proposed use of a cannabis retail outlet is governed by the Zoning Bylaw and Council policy. Zoning Bylaw No. 1055, Section 4.3.17 Restricted Uses – prohibits a cannabis retail store except in accordance with the approval of a Temporary Use Permit.

Council adopted Cannabis Retail Sales Policy (R.157[5])/19) policy on November 26, 2019, to provide guidance on approving any proposed cannabis retail outlet (See Attachment 2).

Should Council accept the application, the applicant may submit their Temporary Use Permit application. LCRB approval policy notes that Council may finalize their approval (or not) before the fit and proper assessment is complete.

DISCUSSION

‘Accepting’ this application does not mean Council is approving it. The LCRB must complete its assessment which includes a ‘fit and property screening’, and the applicant may submit an application for a temporary use permit.

This report only addresses the referral and doesn’t include a thorough review of the proposed application. These details would be provided to Council should it allow the LCRB to proceed and the applicant proceeds with submitting a TUP application. However, some elements of Council’s policy may be useful for discussion at this time. The Council policy contains criteria and guiding principals to evaluate an application for this use. Policy 4.3 states that there should only be two cannabis retail outlets in the Town. There is currently only one other cannabis retail outlet in Town, Jerry’s Cannabis Co.

There are two policies that guide consultation for these types of TUP applications. Policy 4.10 states that the Town will refer the application to School District #79, Lake Cowichan RCMP and jurisdictional neighbours (CVRD and Ts’Uubaa-asatx Nation) for a 30-day period. Policy 4.11 states that public notification and a consultation process is required. This referral and consultation process would be undertaken as part of a TUP application. The contract planner recommends that in addition to the required referrals in policy 4.10 that public notification and consultation process includes the applicant post a sign on the subject property, notice is sent to neighbours within 50 m of the subject, notice is posted on the Town’s website and Facebook page, and Council holds a public hearing prior to its consideration of the TUP.

Once the LCRB review is complete, the applicant meets all the requirements, the fit and proper screenings are finished, and the Town has provided their final recommendation package (including resolution, final determination on whether the licence should be issued, details of the consideration, the results of the public input, etc.), the application can move to Approval in Principle (AIP).

AIP allows the applicant to proceed with any construction/renovation detailed in the AIP floor plan but does not give final approval. AIP is granted for one year though timelines can be shorter or longer depending on the location/applicant. Once the establishment is ready to operate, the applicant schedules a final inspection. After passing the inspection, Licensing will make the final determination and, if all requirements are met, move toward issuing the licence.

Local Government is notified once the fit and proper screenings are passed, and Local Government is also copied on the AIP email and the final approval email.

IMPLICATIONS

a. Financial:

There is no application fees required for this referral.

b. Policy/Legislation:

The zoning bylaw requires a temporary use permit application be approved. Council policy (R.157[5])/19) provides guidelines for Council’s consideration of a temporary use permit application. The policy notes that the guidelines are not prescriptive.

c. Strategic Priority:

N/A

d. Sustainability:

N/A

e. Communication:

Council policy includes guidelines to refer the TUP application to the School District, Lake Cowichan RCMP and jurisdictional neighbours (CVRD and Ts’Uubaa-asatx Nation) for a 30-day period. The policy also recommends public notification and consultation process before approval.

f. Staffing Implication:

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

Options

- 1) Accept the referral from the LCRB to allow the applicant to submit a temporary use permit application AND that the public consultation process include public notice and a public hearing.
- 2) Do not accept the referral from the LCRB.

Recommendation

The contract planner recommends Option 1

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.

Signed:

Brigid Reynolds

Brigid Reynolds RPP MCIP
Contract Planner

Concurrence:

John T

John Thomas
Chief Administrative Officer

**ATTACHMENT 1
LCRB REFERRAL LETTER**



Job # 134040

November 26, 2025

Via email: jfernandez@lakecowichan.ca

Joseph Fernandez
Chief Administrative Officer
Town of Lake Cowichan

Dear: Joseph Fernandez

Re: Application for a Cannabis Retail Store Licence
Applicant: ONE PLANT (RETAIL) CORP.
Proposed Establishment Name: One Plant Lake Cowichan
Proposed Establishment Location: Unit 1A - 88 Cowichan Lake Rd Lake Cowichan BC

The Applicant, ONE PLANT (RETAIL) CORP., has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Cannabis Retail Store licence proposed to be located at the above-noted address. The applicant contact is Aaron Serruya. They can be reached at 905-479-8762 or via email at legal@yogenfruz.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 retail store licence without receiving a positive recommendation regarding the licence application from the local government or Indigenous nation.

Please consider the application and provide the LCRB with a written recommendation.

To assist with your assessment, a site map of the proposed cannabis store is attached.

If you consider the application, you must gather resident's views (if applicable), even if the location already went through a public process to allow cannabis retail sales. This also applies to previous locations of private or government cannabis stores that are no longer operating.

If you choose not to make a recommendation regarding this application, please contact the LCRB at your earliest convenience. In this case, the LCRB will cancel the application.

Learn more about how to make a recommendation and the [role of local governments and Indigenous Nations in cannabis retail licensing](#).

**Liquor and Cannabis
Regulation Branch**

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

Location:
645 T'ye Road
Victoria BC V9A 6X5
Phone: 250 952-5787
Facsimile: 250 952 7066

Website: www.gov.bc.ca/lcrb

If you have any questions regarding this application, please contact me at 778 974-2349 or Carole.McHale@gov.bc.ca.

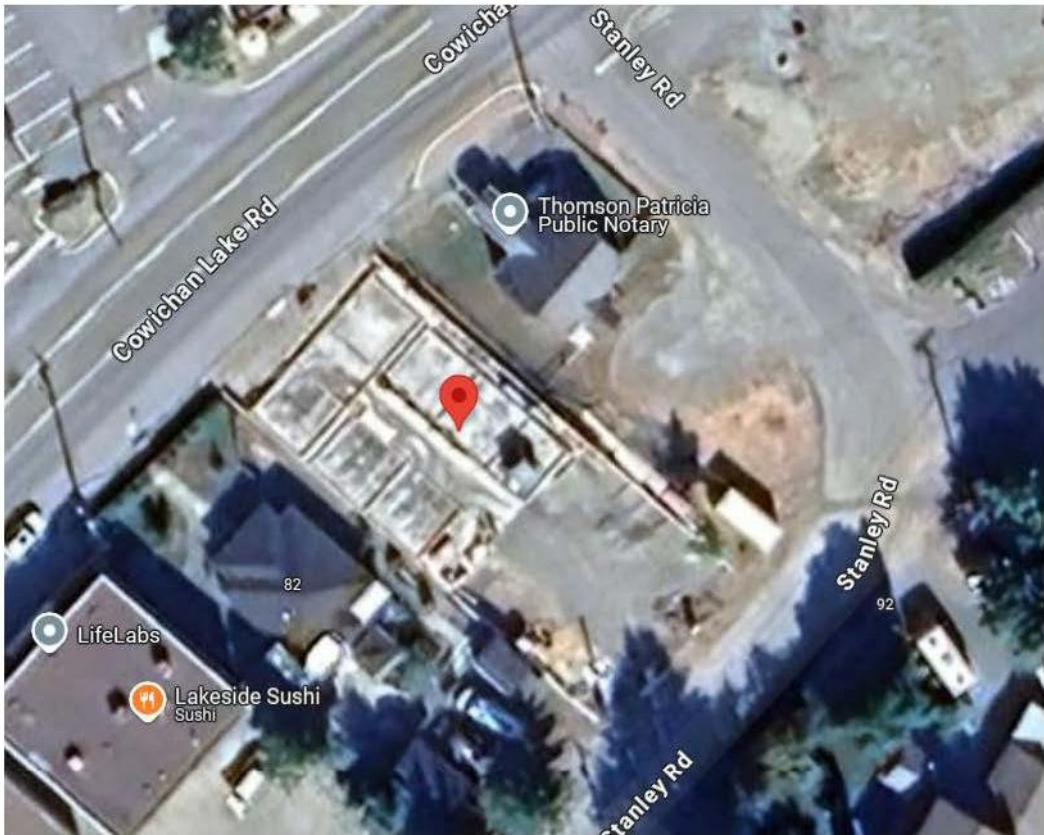
Sincerely,

C McHale
Carole McHale
Senior Licensing Analyst
Liquor and Cannabis Regulation Branch

Attachment – site plan

Site Plan

88 Cowichan Lake Road, Lake Cowichan, BC C0R 2G0



ATTACHMENT 2
COUNCIL CANNABIS RETAIL SALES POLICY (R.157[5])/19)



TOWN OF LAKE COWICHAN

COUNCIL POLICY

DATE APPROVED: November 26th, 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 uncharted 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.



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- 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





Job # 134040

November 26, 2025

Via email: jfernandez@lakecowichan.ca

Joseph Fernandez
Chief Administrative Officer
Town of Lake Cowichan

Dear: Joseph Fernandez

Re: Application for a Cannabis Retail Store Licence

Applicant: ONE PLANT (RETAIL) CORP.

Proposed Establishment Name: One Plant Lake Cowichan

Proposed Establishment Location: Unit 1A - 88 Cowichan Lake Rd Lake Cowichan BC

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If you have any questions regarding this application, please contact me at 778 974-2349 or Carole.McHale@gov.bc.ca.

Sincerely,

C McHale

Carole McHale
Senior Licensing Analyst
Liquor and Cannabis Regulation Branch

Attachment – site plan

Site Plan

88 Cowichan Lake Road, Lake Cowichan, BC C0R 2G0

