

## TEMPORARY USE PERMIT- RETAIL SALE OF CANNABIS (DRAFT for Council Discussion)

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<b>Permit No:</b>	TUP-2019-02
<b>Registered Owner:</b>	TT Brothers Investment Ltd.
<b>Applicant:</b>	The Original Farm Ltd.
<b>Subject Property:</b>	<b>130 Trans Canada Highway, Duncan BC V9L 3P7</b>
<b>Description of Land:</b>	Parcel Identifier: <b>004-369-327</b> Legal Description: <b>Lot 1 SECTION 16 RANGE 7 QUAMICHAN LDist 45, Section 16, Range 7</b>
<b>Proposal:</b>	<b>Temporary Use Permit- Retail Sale of Cannabis- 130 Trans Canada Highway</b>

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### Conditions

1. This permit is issued subject to compliance with all relevant City of Duncan bylaws, specifically the requirements of the *Zoning Bylaw No. 3166* and the *Official Community Plan Bylaw No. 2030 (OCP)*, except as specifically varied or supplemented by this Permit.
2. Without limiting the foregoing, The **Original Farm Duncan Ltd.** shall conform to the regulations stipulated in the *Cannabis Control and Licensing Act* of British Columbia B.C. Reg. 202/2018.
3. This permit applies to the lands described above, and any buildings, structures, and other development thereon (hereinafter called 'the Lands').
4. The **Original Farm Duncan Ltd.** shall require, prior to the issuance of a business license or occupancy permit, a Development Permit including site plans, elevation drawings, landscape plans, security plan, and a parking plan that meets the requirements of the City of Duncan's *OCP-Development Permit Area #3 – Highway Corridor Form and Character Guidelines*. Proposed concept plans must address site lighting, signage, landscaping, surface parking and personal safety.
5. The following specific elements must be addressed with an approved Development Permit prior to issuance of a Building Permit or a Business Licence:
  - a) **Lighting Plan:** Adequate lighting shall be provided in all parking, pedestrian paths, and entry areas. Lights shall always be shielded and reflected away from adjacent uses and ensure public safety.
  - b) **Business Management:** Adequate management, support staff and security must be present during the hours of operation of the facility. A minimum of one (1) supervisory level staff member must be present on the site during hours of operation. Operator(s) must ensure that loitering does not occur on the property during off-hours and must ensure that guests are not loitering, littering, or otherwise creating a nuisance to the neighborhood.
  - c) **Security Plan:** A security plan shall be submitted to the RCMP for approval and must be approved before the facility begins operation and annually, thereafter. If a client is socially disruptive or is responsible for creating any type of nuisance to neighborhood or facility, the operator must notify the RCMP. **The Original Farm Duncan Ltd.** shall address issues of nuisance with respect to odours, smoke and noise relating to the public use of cannabis and cannabis products.
  - d) **Security Plan Agreement:** An agreement will be made between **The Original Farm Duncan Ltd.**, the City of Duncan and the RCMP to ensure effective implementation of the security plan for neighbourhood residents including a communications plan for the City and residents providing contact information for concerned local resident use.

- e) **Hours of Operation:** The hours of operation of the cannabis retail store shall be limited to between the hours of 9am and 8pm daily.
  - f) **No Smoking:** No smoking will be permitted on site.
  - g) **Agreement with the City: The Original Farm Duncan Ltd.** will enter into an agreement with the City of Duncan and provide City Council with an update report on the project, community impacts, neighbourhood involvement opportunities and other important events twice per year.
  - h) **Fire Inspection:** The structure's use must run in compliance with the requirements of the City's Fire Inspector.
  - i) **Stand Alone Business:** The cannabis retail store must be a stand-alone business.
  - j) **Educational Initiatives: The Original Farm Duncan Ltd.** shall provide educational initiatives and materials associated with the impacts and related social concerns of the non-medical use of cannabis and cannabis products.
6. The Lands and building which are subject to this Permit shall be developed in accordance with the terms and conditions of this Permit and in general accordance with the following schedule:
- Schedule A –Building Layout and Concept**
- 7. All road frontage improvements, use of road rights-of-way, off-site works and services shall be approved by the Engineering Department before commencing work. This permit does not imply any approval of such works;
  - 8. On-site services are not to be installed in advance of obtaining the necessary permits from the Building and Engineering Departments;
  - 9. The cannabis retail store shall be operated by **The Original Farm** Duncan Ltd. at **130 Trans-Canada Highway**; and
  - 10. This permit is issued to and is for the sole benefit of **The Original Farm** Duncan Ltd. and does not authorize the operation of a cannabis retail store by any other person at any other location.
  - 11. This permit will expire on \_\_\_\_\_, at which time the rights granted under this permit will cease.
  - 12. This permit may be extended one time for a period no greater than three years as per the regulations set out in the *Local Government Act* and not greater than any period established in the *Official Community Plan* regarding temporary uses.
  - 13. This permit is not a building permit.
  - 14. City Council has the right to terminate this permit with any breach of the above-mentioned conditions.

**Authorized by**

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**Director of Corporate Services**

Schedule A – Building Layout and Concept



