



City of Langford

Staff Report to Sustainable Development Advisory Committee

DATE: Monday, July 14, 2025

DEPARTMENT: Planning

APPLICATION NO.: TUP25-0001

SUBJECT: Application for a Temporary Use Permit to allow for a non-medical cannabis retail store at #105-693 Hoffman Avenue.

EXECUTIVE SUMMARY:

Michael Forbes of Clarity Cannabis BC Ltd. has submitted an application for a new Temporary Use Permit (TUP) to continue operating a non-medical cannabis retail store at Unit #105–693 Hoffman Avenue. This application follows the expiration timeline of the previously granted TUP and its one-time extension, which is set to conclude on September 6, 2025.

The current application seeks to maintain operations at the existing location. The site meets the City's preferred siting criteria for cannabis retail, including appropriate distance from schools, parks, daycares, and residential zones. The business has demonstrated ongoing adherence to regulatory standards, including security, public safety, and community impact mitigation.

Given the applicant's proven record of compliance with all relevant bylaws, and the strategic location of the store, the application for a new TUP is consistent with the City's approach to managing cannabis retail through controlled, case-by-case approvals.

In 2022, Clarity Cannabis was granted an extension to TUP19-0001, allowing continued operation at Unit #105–693 Hoffman Avenue for an additional three years. This extension is set to expire on September 6, 2025.

BACKGROUND:

Following the federal government's decision to legalize non-medical cannabis, the City of Langford launched a pilot project in 2018, initiating a Request for Proposals (RFP) process. This process led to the selection of several applicants to operate non-medical cannabis retail stores within the city.

Section 3.02.02(5) of Zoning Bylaw No. 300 prohibits the retail sale of non-medical cannabis in Langford. Rather than amending this Section to broadly permit cannabis retailing, the City determined that the preferred approach would be to issue Temporary Use Permits (TUPs) on a case-by-case basis. Clarity Cannabis was the first successful applicant in this process to also receive the necessary provincial approvals. They were issued Temporary Use Permit TUP19-0001, valid for a three-year term.

Upon the Permit's expiration, Clarity Cannabis applied for and was granted a one-time extension for an additional three years. As noted, this extension is set to expire on September 6, 2025. Under the Local Government Act, only one extension of a Temporary Use Permit is permitted. As a result, Clarity Cannabis must now apply for a new TUP to continue operating at their current location.

The Liquor and Cannabis Regulation Branch (LCRB) of British Columbia completed the required financial integrity checks and security screenings for Clarity Cannabis BC Ltd. and all individuals associated with the original TUP application.

To issue a Non-Medical Cannabis Retail Store (CRS) licence under the Cannabis Control and Licensing Act, the Province requires a positive recommendation from the local government. This recommendation was provided by the City of Langford for Clarity Cannabis BC Ltd. under TUP19-0001.

Previous Applications:

In 2019, the City received a Temporary Use Permit application (TUP19-0001) for the operation of a non-medical cannabis retail store. The permit was issued on March 19, 2019, authorizing the use for a period of up to three years.

A subsequent Temporary Use Permit (TUP21-0004) was issued in August 2021 to amend the operating hours and increase the permitted signage.

COMMENTARY:

The location is currently zoned Community Town Centre Pedestrian (C8) and is designated as City Centre in the Official Community Plan. Premises licensed under the *Liquor Control and Licensing Act* are a permitted use within the C8 zone, which is the closest comparable permitted use to the cannabis retail store.

The site is a commercial building located on the same property as Boston Pizza and several other businesses, flanked to the west by Veterans Memorial Parkway. The West Shore RCMP Detachment is situated directly south of the location. The site offers ample parking, with access available from both Hoffman Avenue and Winster Road.

As part of the RFP process, several guiding principles were established to help determine acceptable locations for non-medical cannabis retail stores and to inform the issuance of Temporary Use Permits. The preferred siting criteria specify that cannabis retail stores should not be located within:

1. 500 metres of another authorized non-medical cannabis retail location;
2. 300 metres of any school;
3. 300 metres of any group daycare;
4. 150 metres of Centennial Park, Veterans Memorial Park, City Centre Park, Westhills YMCA, any regional or provincial park, or Langford, Glen, or Florence Lakes; and
5. 50 metres of any land zoned R1 (One-Family Residential) or R2 (One- and Two-Family Residential), except within the designated City Centre.

Applicants were required to submit a detailed business plan outlining how they intended to undertake the retail sale of non-medical cannabis within the City. Proposals were expected to address compliance with several key factors, including:

- Adherence to the regulatory framework and all applicable City bylaws;
- Implementation of appropriate security measures for the premises;
- Minimization of neighbourhood impacts;
- Management of public nuisance issues related to cannabis use;
- Mitigation of public impairment concerns; and
- Provision of educational initiatives and materials addressing the above impacts and related social concerns.

These requirements are also outlined in the *Cannabis Retail Store Terms and Conditions* handbook, which reflects the provisions of the *Cannabis Control and Licensing Act* of British Columbia.

- Clarity Cannabis submitted a proposal in response to the RFP. Their location at 693 Hoffman Avenue is approximately 850 metres from Savory Elementary School (the nearest school),
- 150 metres from Veterans Memorial Park,
- 160 metres from the nearest daycare (2780 Veterans Memorial Parkway, Unit #105),
- 100 metres from the closest R1 or R2 zoned land (though this is exempt due to its location within the City Centre).

The applicant's original proposal demonstrated how they would meet all the criteria outlined in the RFP. Compliance with these criteria was a condition of the original Temporary Use Permit (TUP19-0001).

Following Council's approval of TUP19-0001, a Business Licence was issued under the Permit and remains valid.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this application.

LEGAL IMPLICATIONS:

Under Section 497 of the *Local Government Act*, the City may issue a Temporary Use Permit (TUP) for a period of up to three years. The Act also allows for one extension of the Permit, for a maximum of an additional three years. If the Permit holder wishes to continue the temporary use beyond this six-year period, they must submit a new application to Council for a TUP or apply for rezoning.

Council regulates Temporary Use Permits through Part 3 of Zoning Bylaw No. 300, specifically Sections 3.27.03(1) and 3.27.04. These sections authorize Council to require that the form and character of the building align with commercial property guidelines. Council may also request additional information related to the property, such as a stormwater management plan or parking plan, as part of the application process.

Both the Official Community Plan and the General Commercial Development Permit Area provide guidance to Council in making decisions about appropriate land use and design for the subject property.

The West Shore RCMP have indicated that they have no concerns with the continued operation of Clarity Cannabis BC Ltd., provided the business continues to operate as it has over the past six years.

There are no records of regulatory bylaw violations, and no bylaw enforcement actions have been required since the business began operations.

OPTIONS:

Option 1

THAT the Sustainable Development Advisory Committee recommend that Council direct staff to provide notice that Council will consider issuing a Temporary Use Permit to allow Clarity Cannabis BC Ltd. to continue to operate a non-medical cannabis retail store at #105 693 Hoffman Avenue.

OR Option 2

THAT the Sustainable Development Advisory Committee recommend that Council take no action with respect to this application for a Temporary Use Permit at #105 693 Hoffman Avenue until such a time as the following items are addressed and reviewed by the Sustainable Development Advisory Committee:

- a. _____;
- b. _____;
- c. _____.

SUBMITTED BY: Kory Elliott, Planning and Land Development Technician

Concurrence: Matthew Baldwin, RPP, MCIP, Director of Development Services

Concurrence: Leah Stohmann, RPP, MCIP, Director of Community Planning and Climate Change

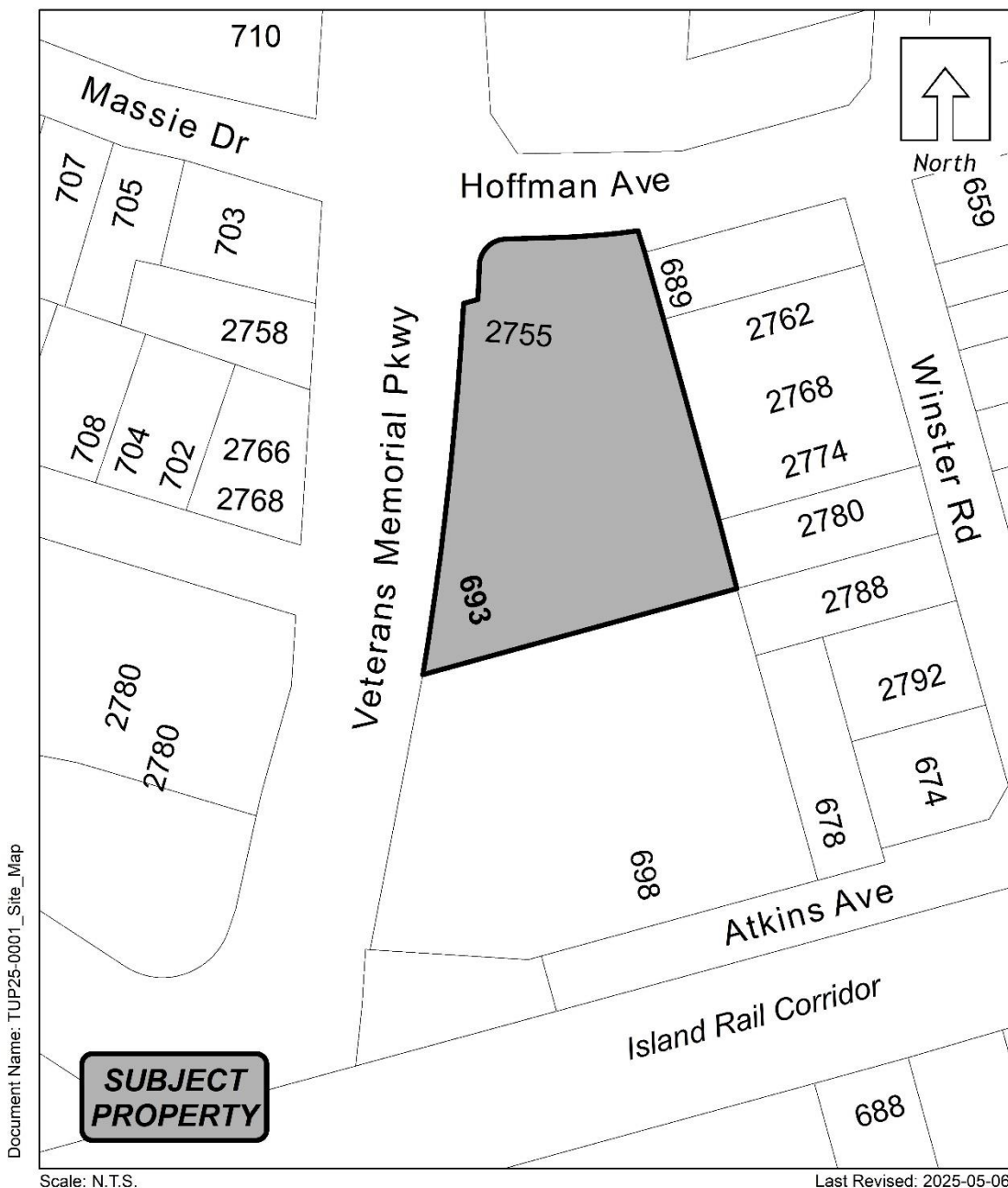
Concurrence: Melisa Miles, Manager of Legislative Services

- Concurrence:** Donna Petrie, Senior Manager of Communications & Economic Development
- Concurrence:** Wolfgang Schoenefuhs, Acting Director of Parks, Recreation and Facilities
- Concurrence:** Katelyn Balzer, P.Eng., Director of Engineering and Public Works
- Concurrence:** Michael Dillabaugh, CPA, CA, Director of Finance
- Concurrence:** Marie Watmough, Director of Legislative & Protective Services
- Concurrence:** Braden Hutchins, Deputy Chief Administrative Officer
- Concurrence:** Darren Kiedyk, Chief Administrative Officer

Attachments: Draft-TUP25-0001 for Clarity Cannabis BC Ltd.

Appendix A – Site Map

TEMPORARY USE PERMIT
(TUP25-0001)
693 Hoffman Ave



Document Name: TUP25-0001_Site_Map

Scale: N.T.S.

Last Revised: 2025-05-06



City of Langford

www.cityoflangford.ca

Temporary Use Permit No. TUP25-0001

Temporary Use Permit No. TUP25-0001 is issued by the Council for the City of Langford to **Clarity Cannabis BC Ltd.** to operate a **non-medical cannabis retail store** on the property legally described as Lot A, Section 72, Esquimalt District, Plan VIP72210, PID No. 025-111-949 (**105-693 Hoffman Avenue**), in accordance with Section 493 of the *Local Government Act*, subject to the following terms and conditions, and notwithstanding Sec. 3.02.02(5) of Zoning Bylaw No. 300:

1. Conditions

- a) Exterior walls shall be treated in a manner and colour that is consistent with other parts of the building which the business occupies. If the non-medical cannabis retail store occupies a stand-alone building, then the exterior of the building will exhibit colours from a muted, earth tone palette with contrasting accent colours for windows, trim and doors. Bold or vivid colours that are intended to be distinctive and eye-catching (e.g.: lime green or fire engine red) may be used on signage, but not on the building façade or trim to the satisfaction of the Director of Development Services;
- a) All windows shall be opaque or constructed with spandrel panels behind. Windows and spandrels may not be embellished with any form of imagery;
- b) Security devices, such as window bars or roll shutters, shall be deployed on the inside of doors or windows so as to be unobtrusive and invisible from the street;
- c) The applicant shall provide security measures associated with the premises from which the non-medical cannabis retail store will operate in accordance with the applicant's proposal in response to the City of Langford Request for Proposal for the Retail Sales of Cannabis and Cannabis Related Products (RFP), as determined by the Chief Administrative Officer;
- d) The applicant shall address issues of nuisance with respect to odours, smoke and noise relating to public use of cannabis and cannabis products in accordance with the applicant's proposal in response to the RFP and the regulations, terms and conditions outlined in the *Cannabis Control and Licencing Act of B.C.*;
- e) The applicant shall address impairment issues relating to public use of cannabis and cannabis products for non-medical purposes in accordance with the applicant's proposal in response to the RFP and the regulations, terms and conditions outlined in the *Cannabis Control and Licencing Act of B.C.*;

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- f) The non-medical cannabis retail store must be a stand-alone business;
- g) The hours of operation of the non-medical cannabis retail store shall be limited to 9am to 9pm Sunday through Wednesday and 9am to 10pm Thursday through Saturday;
- h) The applicant shall provide educational initiatives and materials associated with the impacts and related social concerns of the non-medical use of cannabis and cannabis products in accordance with the applicant's proposal in response to the RFP and as outlined in the *Cannabis Retail Store Terms and Conditions, a handbook for the sale of non-medical cannabis in British Columbia*;
- i) The applicant shall conform to the regulations stipulated in the *Cannabis Control and Licencing Act of British Columbia B.C. Reg.202/2018*;
- j) The Applicant shall ensure that the non-medical cannabis retail sale is in compliance with all applicable laws, including all City bylaws;

SIGNAGE

- k) All signage shall be subject to a subsequent Sign Development Permit application process and shall be constructed and placed in accordance with Langford Sign Bylaw No.1250 and to the satisfaction of the Director of Development Services;
- l) All signage shall be architecturally compatible with the style, composition, materials, colours, and details of the buildings within the development;
- m) The location and size of signs shall be architecturally integrated with the overall design of the buildings;
- n) As a condition of issuance of this permit, and notwithstanding what is permitted by Bylaw No. 1250, the business is limited to **three signs only**. This signage shall indicate the name of the business only, and shall not display company slogans, and may not employ any play on words with respect to cannabis or drug culture. This signage may be internally illuminated in accordance with City guidelines, but may not be animated in any way or have variable messaging;
- o) Notwithstanding article n), the business may have one illuminated sign which indicates that the business is open, provided that this signage is affixed to the interior of a door or window visible from the street and does not exceed an area of 0.2m² (2ft²);
- p) Sandwich board type signs are prohibited;

If a previous Development Permit has been issued with respect to Form and Character and no new buildings or exterior renovations are being proposed some of these conditions may be waived.

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2. Whereas

- a) The non-medicinal use of cannabis and cannabis related products has historically been prohibited by federal law in Canada and, as a result, has historically been prohibited by the City under its Zoning Bylaw No. 300;
- b) On October 17, 2018, the Federal Government legalized the non-medicinal use of cannabis and cannabis products;
- c) The Federal Government and the Provincial Government have developed a regulatory framework for the retail sale of cannabis and cannabis products for non-medicinal use;
- d) The City wishes to authorize the retail sale of cannabis and cannabis products within its boundaries, but recognizes that there are challenges associated with it doing so;
- e) The City issued the Request for Proposals for the Retail Sales of Cannabis and Cannabis Related Products to seek proposals from individuals and organizations interested in undertaking the retail sale of cannabis and cannabis products for non-medicinal use within the City's boundaries, and required that proposals include details as to how the challenges with the retail sale of cannabis and cannabis products would be addressed;
- f) The City received and reviewed over 30 proposals in response to the Request for Proposals, and identified Clarity Cannabis BC Ltd.'s proposal as one that best addressed the challenges with the retail sale of cannabis and cannabis products; and,
- g) Clarity Cannabis BC Ltd. is committed to assisting the City and taking positive steps to address the challenges with the retail sale of cannabis and cannabis products;

Now therefore be it resolved that Council issue Temporary Use Permit TUP20-0001 to Clarity Cannabis BC Ltd. for it to operate a Cannabis Retail Store at 105-693 Hoffman Avenue for a three-year term subject to the terms and conditions listed within.

3. Expiry

That the Temporary Use Permit be issued for a period of 36 months and will expire on August 19, 2028.

Authorized Resolution passed by the Council of the City of Langford on August 18, 2025.

Permit issued on August 19, 2025.

Marie Watmough, Corporate Officer

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