



# Staff Report to Sustainable Development Advisory Committee

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**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.

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## 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

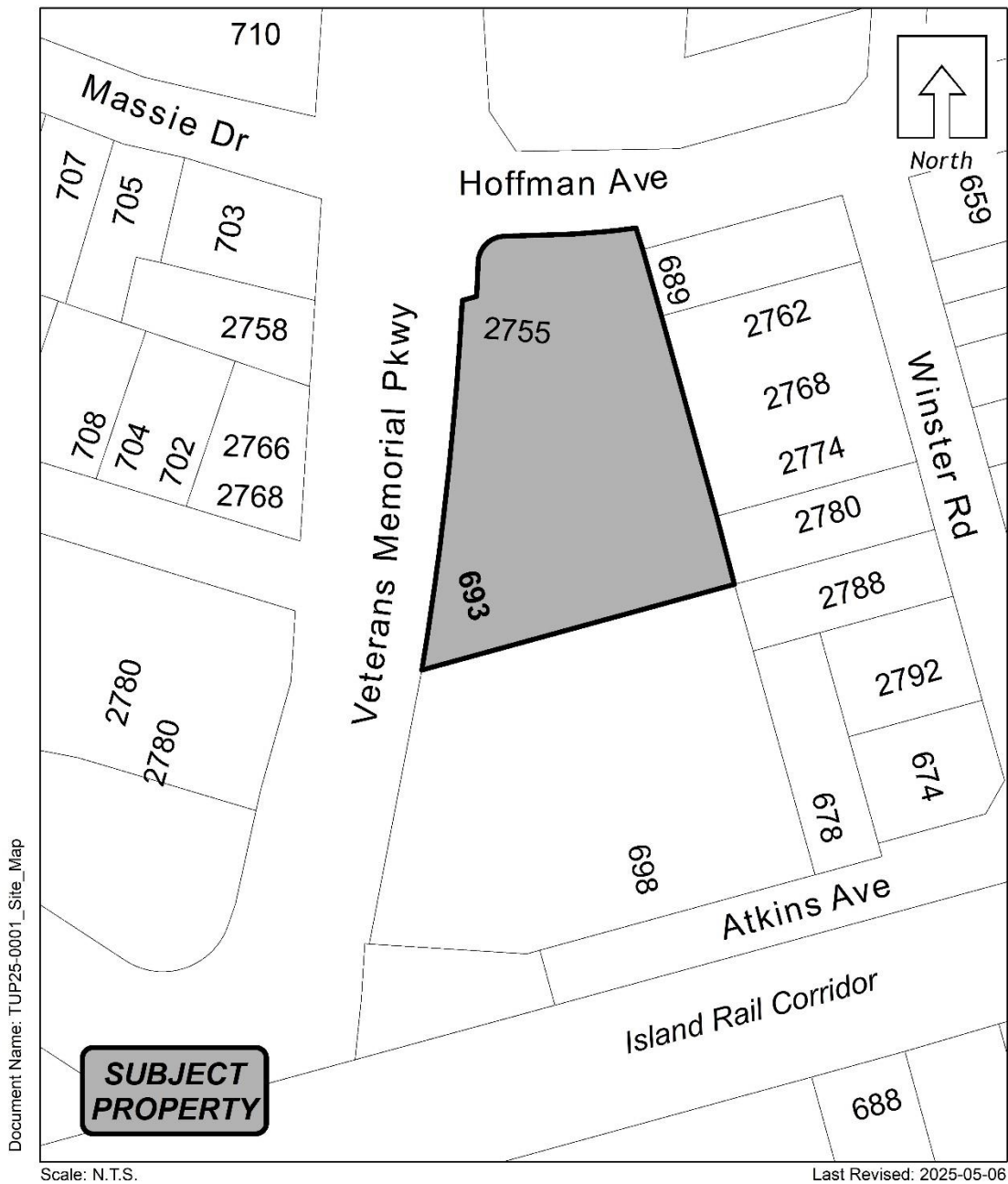
**Concurrence:** Melisa Miles, Manager of Legislative Services

**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.

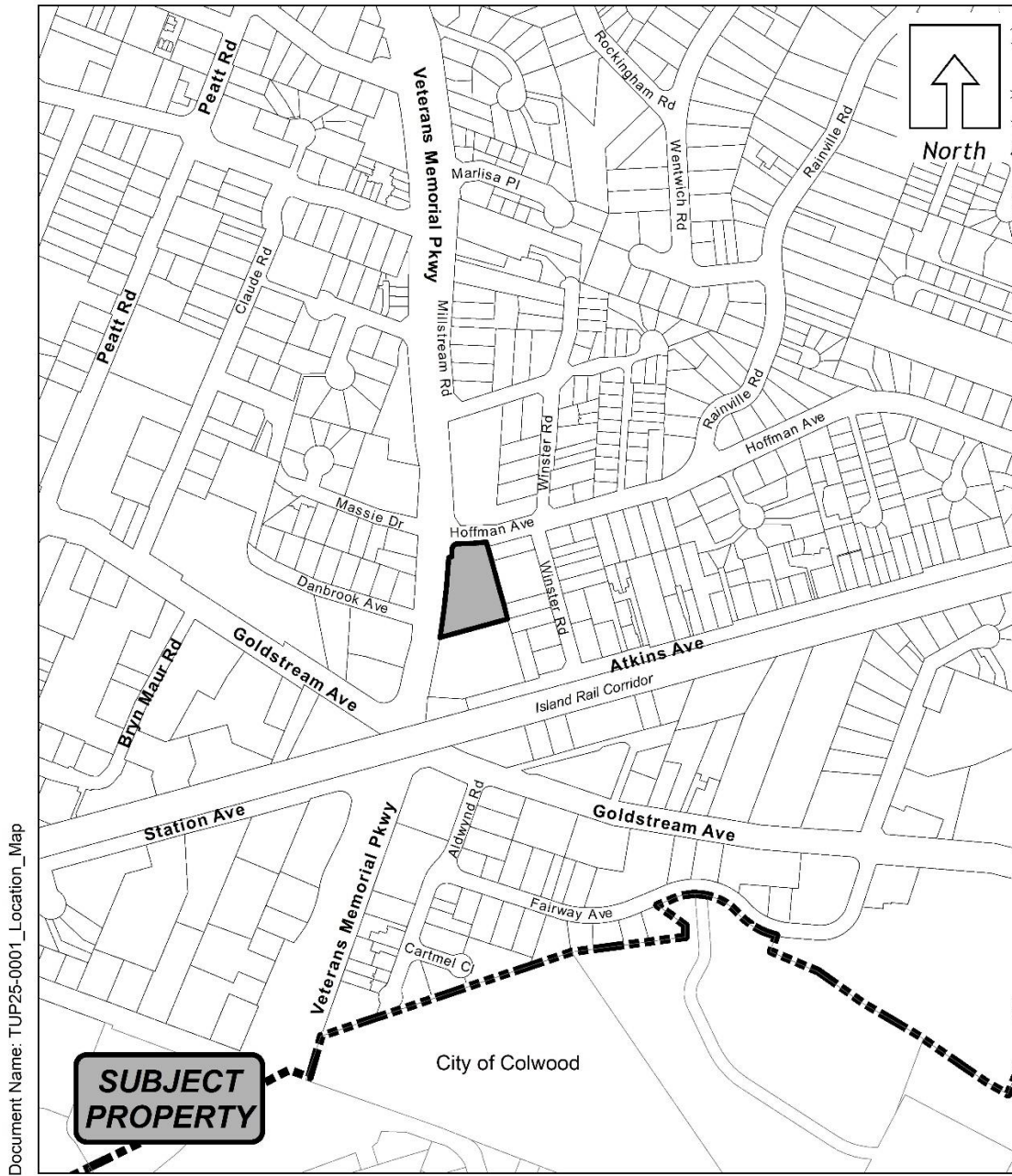
Appendix A – Site Map

**TEMPORARY USE PERMIT**  
**( TUP25-0001 )**  
**693 Hoffman Ave**



Appendix B – Location Map

**TEMPORARY USE PERMIT  
( TUP25-0001 )  
693 Hoffman Ave**



Scale: N.T.S.

Last Revised: 2025-05-06