



Village of Cumberland

Notice of Temporary Use Permit

3276 Third Street

2024-02-TUP

This is to provide notice that the Council of the Village of Cumberland will consider a resolution to issue a Temporary Use Permit (TUP) at the Council meeting on Monday, March 10, 2025.

Subject Property: 3276 Third Street, legally described as Lot 12, Block 10, District Lot 21, Nelson District, Plan 522-A.

In general terms, the purpose of the proposed permit is to allow the retail sale of cannabis retail as a use on the parcel.

TruGreen has been operating with a temporary use permit (TUP) for the retail sale of cannabis for the past six years. The TUP was renewed once and has now expired. As cannabis retail is not permitted in the VCMU-1 zone, the applicant has applied for a new TUP to continue operating.

Time & Date: Monday, March 10, 2025 at
5:30 PM

Location: Village Council Chamber
2675 Dunsmuir Avenue

Public Input

Written comments may be submitted to the Village by 2:00 p.m. on the day of the Council meeting:

- By regular mail to the Village Office at Box 340, Cumberland BC V0R 1S0
- In person to the Village Office at 2673 Dunsmuir Avenue, Monday to Friday, between 9am and 4pm, except on holidays.
- By email to planning@cumberland.ca;

All submissions will become part of the public record and may be made available on the Village website.



Subject Property

View the Proposed Permit

View the proposed permit and related information online at cumberland.ca and at the Village Office at 2673 Dunsmuir Avenue, Monday to Friday, between 9am and 4pm, except on holidays.

This notice is issued pursuant to Section 494 of the *Local Government Act*.

For More Information:

Village of Cumberland
250-336-2291
cumberland.ca



Corporation of the
Village of Cumberland

TEMPORARY USE PERMIT

TO: 1102849 B.C. Ltd

AGENT: Trugreen Solutions Inc.

OF: 1212 1175 Douglas Street Victoria B.C.

This Temporary Use Permit 2024-02-TUP is issued subject to compliance with all of the bylaws of the Village of Cumberland applicable thereto, supplemented by this Permit for the purposes of *operating a cannabis retail store*.

1. This Temporary Use Permit applies to and only to those lands within the Village of Cumberland described below, and any and all buildings, structures and other development thereon:

Legal Description: *LOT 12, BLOCK 10, DISTRICT LOT 21, NELSON DISTRICT, PLAN 522-A*

Folio: 516.00173.00 **PID:** 003-179-061

Civic Address: *3276 Third Street*

2. The land described herein shall be developed strictly in accordance with the following terms and conditions and provisions of this Permit:

a) Bylaw Compliance

- i. A final inspection for issued building permit (B3439) on the property is granted within 6 months of the issuance of this TUP.
- ii. Any new businesses operating on the property, including mobile vending or event spaces require a business licence. Failure to comply with this condition may result in revocation of this temporary use permit.

b) Statutory Right of Way (SRW)

- i. Registration of a 1.5 m wide statutory right of way adjacent to the rear lane, as shown on Schedule A must be completed prior to issuance of this Temporary Use Permit.

3. **Security**

N/A – No Security Required

4. **Expiry And Renewal**

- a) The Owner of land in respect of which a Temporary Use Permit has been issued has the right to put the land to the use described in the Permit for three years after the Permit is issued. The expiry date is March 10, 2028.
- b) Council may grant renewal of the Permit once for a period not to exceed three years. The Applicant is expected to apply for renewal at least 60 days prior to the expiry date.
- c) When the Permit expires, the Cannabis Retail operation will cease within 30 days and any applicable Business Licence will be revoked at this time.

5. **Timing and Sequencing of Development**

N/A

6. **List of Reports or Plans attached as Schedules**

Schedule A – Site Plan With Markup

7. This Permit is **not** a Building Permit.

CERTIFIED as the TEMPORARY USE PERMIT approved for issuance by resolution of the Council of the Corporation of the Village of Cumberland on _____ 20__, subject to conditions noted at 2.b) i, and issued on _____, 20__ by senior staff on satisfaction of those conditions.

Corporate Officer

Schedule A – Site Plan with Markup

