

**DISTRICT OF NORTH VANCOUVER
PUBLIC HEARING**

**Retail Sale of Cannabis
Amendments to the Zoning Bylaw
Amendments to the Business Licence Bylaw**

REPORT of the Public Hearing and Public Meeting held in the Council Chambers of the Municipal Hall, 355 West Queens Road, North Vancouver, B.C. on Tuesday, November 5, 2019 commencing at 7:05 p.m.

Present: Mayor M. Little
Councillor J. Back
Councillor M. Bond (7:13 pm)
Councillor M. Curren
Councillor B. Forbes
Councillor J. Hanson
Councillor L. Muri

Staff: Ms. T. Atva, Manager – Community Planning
Mr. J. Gordon, Manager – Administrative Services
Ms. S. Dale, Confidential Council Clerk
Mr. S. Tejani, Planner

1. OPENING BY THE MAYOR

Mayor Mike Little welcomed everyone and advised that the purpose of the Public Hearing was to receive input from the community and staff on the proposed bylaw as outlined in the Notice of Public Hearing.

Mayor Mike Little stated that:

- All persons who believe that their interest in property is affected by the proposed bylaw will be afforded a reasonable opportunity to be heard and to present written submissions;
- Council will use the established speakers list. At the end of the speakers list, the Chair may call on speakers from the audience;
- Each speaker will have five minutes to address Council for a first time and should begin remarks to Council by stating their name;
- After everyone who wishes to speak has spoken once, speakers will then be allowed one additional five minute presentation;
- If a written submission has been submitted there is no need to read it as it will have already been seen by Council. It can be summarized, ensuring that the comments are pertaining to these bylaw under consideration at this hearing;
- All members of the audience are asked to be respectful of one another as diverse opinions are expressed. Council wishes to hear everyone's views in an open and impartial forum;
- Everyone at the Hearing will be provided an opportunity to speak. If necessary, the Hearing will continue on a second night;
- Any additional presentations will only be allowed at the discretion of the Chair;
- Council is here to listen to the public, not to debate the merits of the bylaw;

- At the conclusion of the public input Council may request further information from staff, which may or may not require an extension of the hearing, or Council may close the hearing, after which Council should not receive further new information from the public;
- The binder containing documents and submissions related to the bylaw is available on the side table to be viewed; and,
- The Public Hearing is being streamed live over the internet and recorded in accordance with the *Freedom of Information and Protection of Privacy Act*.

2. INTRODUCTION OF BYLAWS BY CLERK

Mr. James Gordon, Manager – Administrative Services, introduced the proposed bylaws, stating that Bylaw 8340 proposes to amend the District's Zoning Bylaw by:

- Adding definitions for cannabis, non-medical cannabis, cannabis accessory, cannabis retail store, and cannabis warehouse. Cannabis warehouses will be permitted in all zones that allow a warehouse use.
- Amending ten zones where the retail sale of non-medical cannabis may be permitted subject to a future rezoning application. In accordance with Council's Non-Medical Retail Cannabis Policy, a cannabis retail store will only be considered in those zones that currently permit a liquor store use and are located at least 200 metres from an elementary or high school. Specific properties would be added to a table proposed in Part 4: General Regulations of the Zoning Bylaw once successfully rezoned to permit a cannabis retail store.
- Continuing a prohibition of commercial growing and harvesting.

Mr. Gordon further stated that Bylaw 8341 proposes to amend the Business Licence Bylaw by:

- Adding definitions for cannabis, non-medical cannabis, cannabis accessory, cannabis retail store, and cannabis warehouse.
- Adding licence conditions for a retail store including prevention of nuisances, minimizing negative impacts on neighbours, and hours of operation.
- Outlining conditions of operating the cannabis retail store, including, but not limited to, not operating any other business from the cannabis retail store and only operating the store between the hours of 9:00 am to 9:00 pm, seven days a week.

3. PRESENTATION BY STAFF

Councillor BOND arrived at this point in the proceedings.

Ms. Shazeen Tejani, Planner, provided an overview of the proposal, elaborating on the introduction by the Manager – Administrative Services. Ms. Tejani advised that:

- These proposed bylaw amendments set up a framework to allow Council to consider zoning for future retail stores on a case-by-case basis;
- Tonight's meeting is focused specifically on receiving input on the retail framework, and does not focus on individual applications for cannabis retail stores;
- On October 17, 2018, non-medical cannabis was legalized across Canada;
- In order to better regulate cannabis production, distribution and retail sales, each level of government was assigned specific responsibilities;
- The federal government is responsible for cannabis legalization and cannabis production;

- The provincial government is responsible for wholesale and retail distribution of cannabis and issuance of cannabis licences;
- Municipal governments in BC are responsible for zoning and land use, determining retail locations, enforcement of municipal bylaws and business licencing;
- In 2018, Council directed staff to proceed with public engagement to obtain feedback on this proposed process and a suite of bylaw amendments are now required to implement this framework;
- The public provided input in a variety of ways between July and September of 2018;
- There was an online survey available on the District's website that received a total of 363 responses;
- A working session was also held with people interested in opening cannabis retail stores in the District;
- This was followed by a stakeholder meeting with representatives from the City of North Vancouver, District of West Vancouver, Vancouver Coastal Health, RCMP, School District #44, Squamish First Nation and North Vancouver Chamber of Commerce;
- In July of 2019 at a Council Workshop, members of the public were also provided with an opportunity to comment on the draft Non-Medical Retail Cannabis Policy;
- The public input received at these sessions has informed a set of recommendations to Council on a new Non-medical Retail Cannabis Policy;
- In the summer of 2019, Council adopted a policy to guide the number and location of retail cannabis stores in the District of North Vancouver;
- The policy states that new cannabis retail stores must be considered by Council through individual rezoning applications;
- The policy sets key locational guidelines, including a 200-metre buffer between the property line of any elementary or high school and a cannabis retail store;
- It further states that retail stores should be limited to one per Town and Village Centre in zones that currently permit the retail sale of liquor;
- The policy envisions one retail cannabis in the following Town and Village Centres:
 - Lion's Gate Village Centre and Marine Drive;
 - Lynn Valley Town Centre;
 - Lynn Creek Town Centre; and,
 - Maplewood Village Centre;
- The policy states that Council may consider additional businesses on a case-by-case basis;
- Key amendments to the Business Licence Bylaw and includes the following:
 - Adds and changes definitions for cannabis, non-medical cannabis, cannabis accessory, cannabis retail store and cannabis warehouse;
 - Adds conditions that aim to reduce nuisances and potential negative impacts on neighbours;
 - It prevents operating other businesses from a cannabis retail store; and,
 - It requires the operating hours to be within the hours of 9:00 am to 9:00 pm, seven days a week;
- The key amendments to the Zoning Bylaw includes the following:
 - It adds and changes definitions for: cannabis, non-medical cannabis, cannabis accessory, cannabis retail store and cannabis warehouse;
 - It amends ten zones where the retail sale of cannabis may be considered and these zones currently permit the retail sale of liquor, as guided by the Non-medical Retail cannabis Policy; and,
 - It continues a prohibition of commercial growing and harvesting.

4. REPRESENTATIONS FROM THE PUBLIC

4.1. Mr. John McNally, 700 Block East 4th Street:

- Spoke in support of the proposed bylaws;
- Suggested the hours of operation be regulated in the same way as liquor stores; and,
- Commented on the importance of reviewing applications on a case-by-case basis.

4.2. Mr. Corrie Kost, 2800 Block Colwood Drive:

- Spoke regarding the authority of the regulating body;
- Spoke in favour of the proposed bylaws, but commented that more flexibility may be needed;
- Commented on the regulations being imposed in other communities;
- Questioned what items may be sold at a retail cannabis store; and,
- Questioned under what conditions could a business licence be revoked.

In response to a question from Council, staff advised that local governments do not regulate the type of cannabis products being sold and rely on Federal legislation to dictate which products are considered legal. There are very strict regulations around the production, sale and packaging of edibles. It is anticipated that a few items will be available for sale, eventually transitioning to the full list of legal products such as edible cannabis, cannabis extracts and cannabis topicals. It was further noted that liquor and cannabis stores may not be sold in the same store, as per Federal regulations.

In response to a question from Council, staff advised that local municipal bylaw inspectors and Liquor and Cannabis Regulation Branch (LCRB) inspectors, and/or police officers will adhere to security measures being enforced.

5. COUNCIL RESOLUTION

MOVED by Councillor MURI

SECONDED by Councillor HANSON

THAT the November 5, 2019 Public Hearing is closed;

AND THAT "District of North Vancouver Rezoning Bylaw 1379(Bylaw 8340)" be returned to Council for further consideration;

AND THAT "Business Licence Bylaw 4567, 1974 Amendment Bylaw 8341, 2019 (Amendment 50)" be returned to Council for further consideration.

CARRIED
(7:28 pm)

CERTIFIED CORRECT:



Confidential Council Clerk