

# AGENDA

## *PUBLIC HEARING*

**Tuesday, July 7, 2020  
7:00 p.m.**

**To be held virtually but streamed at  
<http://app.dnv.org/councillive/>**

**Council Members:**

Mayor Mike Little  
Councillor Jordan Back  
Councillor Mathew Bond  
Councillor Megan Curren  
Councillor Betty Forbes  
Councillor Jim Hanson  
Councillor Lisa Muri



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## **PUBLIC HEARING**

**7:00 p.m.**  
**Tuesday, July 7, 2020**  
**To be held virtually but streamed at**  
**<http://app.dnv.org/councillive/>**

## **AGENDA**

### **Cannabis Retail Store at 1560 Main Street Zoning Bylaw Amendment**

**1. OPENING BY THE MAYOR**

**2. INTRODUCTION OF BYLAW BY CLERK**

**District of North Vancouver Rezoning Bylaw 1393 (Bylaw 8420)**

*Purpose of Bylaw:*

Bylaw 8420 proposes to amend the District's Zoning Bylaw to add Cannabis Retail Store as a permitted use for the property located at 1560 Main Street in the Lynn Creek Town Centre.

**3. PRESENTATION BY STAFF**

Presentation: Ashley Bellwood, Development Planner

**4. PRESENTATION BY APPLICANT**

**5. REPRESENTATIONS FROM THE PUBLIC**

**6. QUESTIONS FROM COUNCIL**

**7. COUNCIL RESOLUTION**

*Recommendation:*

THAT the July 7, 2020 Public Hearing be closed;

AND THAT "District of North Vancouver Rezoning Bylaw 1393 (Bylaw 8420)" be returned to Council for further consideration.

**8. CLOSING**

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# **The Corporation of the District of North Vancouver**

## **Bylaw 8420**

A bylaw to amend District of North Vancouver Bylaw 3210, 1965

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The Council for The Corporation of the District of North Vancouver enacts as follows:

### **Citation**

1. This bylaw may be cited as “District of North Vancouver Rezoning Bylaw 1393 (Bylaw 8420)”.

### **Amendments**

2. District of North Vancouver Zoning Bylaw 3210, 1965 is amended as follows:
  - a) Part 4 “General Regulations” is amended by adding the following into the first empty row of the table in Section 405B (1):

003-950-808	1560 Main Street	Lynn Creek Town Centre	Bylaw 8420
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**READ** a first time February 3<sup>rd</sup>, 2020

**PUBLIC HEARING** held

**READ** a second time

**READ** a third time

Certified a true copy of “Bylaw 8420” as at Third Reading

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Municipal Clerk

**APPROVED** by the Ministry of Transportation and Infrastructure on

**ADOPTED**

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Mayor

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Municipal Clerk

Certified a true copy


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Municipal Clerk

#### AGENDA INFORMATION

☒ Regular Meeting  
☐ Other:

Date: FEB. 3, 2020  
Date: \_\_\_\_\_

  
Dept.  
Manager

  
GM/  
Director

  
CAO

## The District of North Vancouver REPORT TO COUNCIL

January 16, 2020

File: 08.3060.20/048.19

**AUTHOR:** Ashley Bellwood, Development Planning

**SUBJECT:** Text Amendment to add “Cannabis Retail Store” at 1560 Main Street (Bylaw 8420)

### RECOMMENDATION

THAT “District of North Vancouver Rezoning Bylaw 1392 (Bylaw 8420)” is given FIRST Reading;

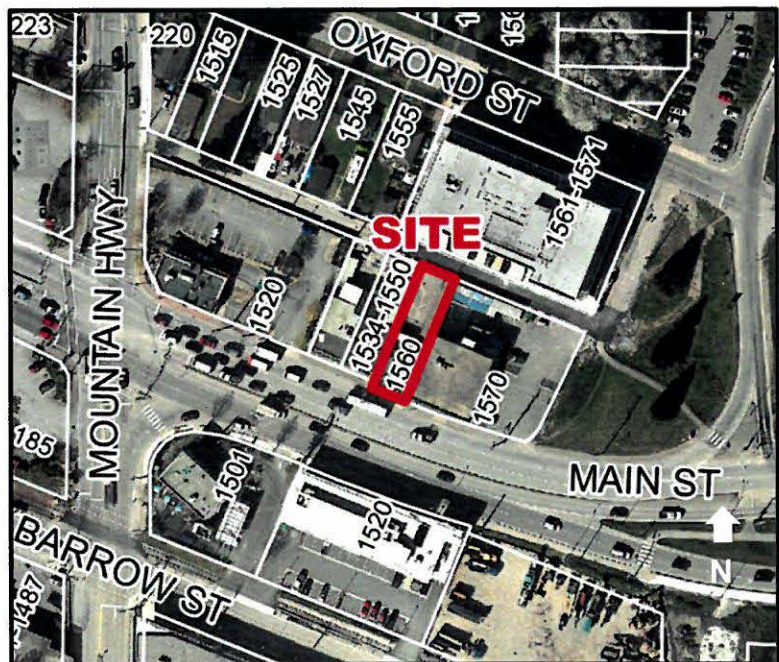
AND THAT “District of North Vancouver Rezoning Bylaw 1392 (Bylaw 8420)” is referred to a Public Hearing.

### REASON FOR REPORT

The applicant proposes to amend the Zoning Bylaw to add “Cannabis Retail Store” as a permitted use for the property located at 1560 Main Street.

Implementation of the proposed amendment requires Council’s consideration of Bylaw 8420 to amend Section 405B (1) of the Zoning Bylaw to allow a cannabis retail store as a permitted use at this location.

The Rezoning Bylaw is recommended for introduction and referral to a Public Hearing.



### SUMMARY

An application has been submitted to the District of North Vancouver for a text amendment to add



“Cannabis Retail Store” as a permitted use for the property located at 1560 Main Street. The subject property is currently improved with a two-storey building zoned for commercial use.

Prior to the issuance of a cannabis retail store licence, the Provincial Liquor and Cannabis Regulation Branch (LCRB) requires confirmation of a positive recommendation from the District of North Vancouver. If Bylaw 8420 is adopted, the District will forward to the LCRB an indication of Council’s support for a cannabis retail store license on this property.

### **EXISTING POLICY**

#### **Official Community Plan**

The Official Community Plan (OCP) designates this site as “Commercial Residential Mixed-Use Level 1” (CRMU1) which are areas intended for predominantly general commercial purposes, such as retail, service and office uses with residential above. The site is within the Lynn Creek Town Centre.

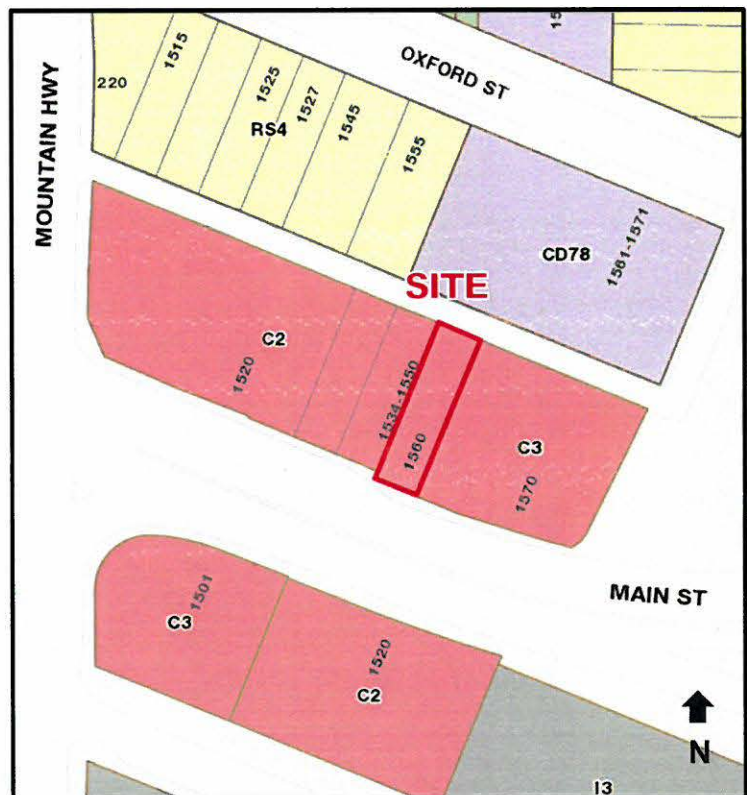
#### **Zoning**

The subject property is zoned “General Commercial Zone 2” (C2). The C2 zone permits the “Cannabis Retail Store” use when the subject property is included on the table in Section 405B (1) of the Zoning Bylaw. Bylaw 8420 (Attachment A) proposes to amend Section 405B (1) by adding 1560 Main Street to the list of properties permitting one cannabis retail store.

### **ANALYSIS**

#### **Site and Surrounding Area**

The proposed cannabis retail store is to be located in an existing two-storey building at 1560 Main Street that is currently vacant. The ground floor would be used for the retail store and second floor for their office space. Surrounding properties include commercial to the east, south, and west of the site; and multi-family and single family residential (slated for future development) to the north across the lane.





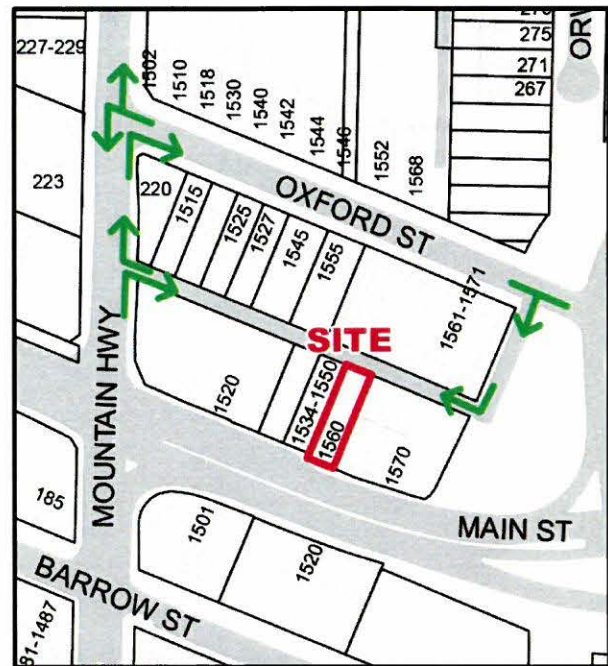
### Non-medical Retail Cannabis Policy

The proposed use of the site has been evaluated against the District’s “Non-medical Retail Cannabis Policy” (the Cannabis Policy).

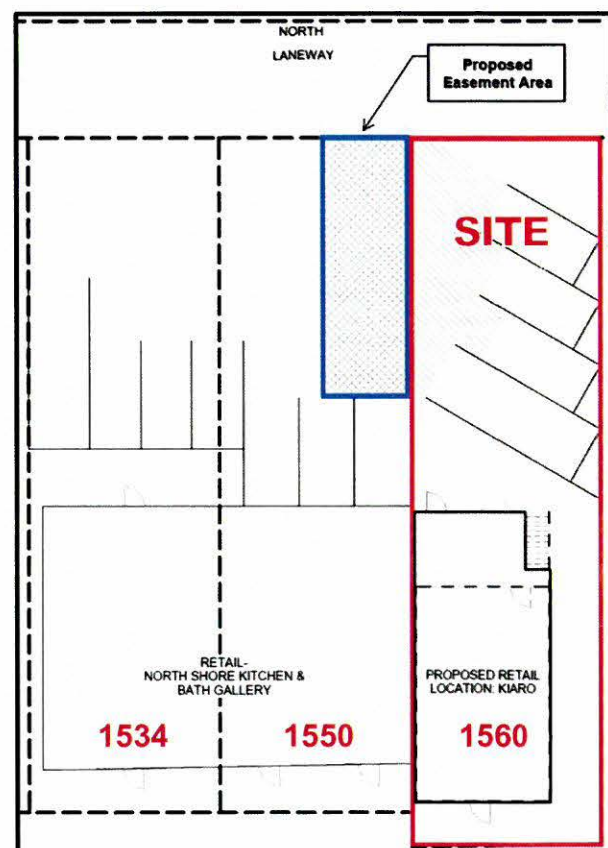
One of the Cannabis Policy’s guidelines addresses access for vehicles, potential traffic impacts and parking availability. Parking for the site is proposed at the rear of the property and access is only available from the rear lane. The map to the right demonstrates access and egress for the site. As there is a median on Mountain Highway, only “right-in” and “right-out” vehicle movements are permitted at this location. Vehicles unable to directly access the lane from Mountain Highway can enter the lane at the east end of Oxford Street.

When leaving the site, vehicles can exit the lane directly onto Mountain Highway via a right-hand turn, or via Oxford Street which provides access to Mountain Highway (north and south) and to Main Street to the south.

The proposed parking can comply with the Zoning Bylaw, subject to registration of a reciprocal access easement with the neighbouring property at 1550 Main Street to provide sufficient manoeuvring aisle width (as shown adjacent). Through review of the proposal, staff note that improvements to access and parking are required at 1560 Main Street and 1550/1534 Main Street. The owner of the three properties has acknowledged this and has confirmed that the required access easement over 1550 Main Street will be provided should the rezoning be approved. As a condition of rezoning, a covenant to ensure access is available for all properties during opening hours of each business will be required to be registered on title at 1560, 1550, and 1534 Main Street.



1560 Main Street - Site Access and Egress



Proposed Parking Layout and Easement Area

A complete review of the Cannabis Policy’s ‘Locational Guidelines’ and ‘Other Evaluation Criteria’ is outlined in the table below.

<b>Locational Guidelines</b>	
Zoned to permit a liquor store	Liquor store is listed as a Principal Use
Located at least 200 m from any school	Complies
Does not exceed one business per OCP key growth centre	Site located within Lynn Creek Town Centre; no cannabis retail store businesses currently exist in this centre. The subject proposal was the first LCRB referral but the second rezoning application to be received within this grown centre.
Complies with all Provincial Cannabis Licensing Regulations	Security plan provided to satisfy provincial and federal legislative requirements Confirmation of compliance and issuance of license by the LCRB, should the rezoning be approved by Council.
<b>Other Evaluation Criteria</b>	
Access for vehicles, potential traffic impacts and parking availability	Parking provided at the rear of the property with access available only through the rear lane. On-site parking can comply with Zoning Bylaw requirements subject to registration of an access agreement.
Access for pedestrians and cyclists	Excellent access for pedestrians, cyclists and those using alternate modes of transportation. Site is located adjacent to Phibbs Exchange and on a RapidBus route with a dedicated shared bus and bike lane
Store layout that does not accommodate sampling	Complies
A proposed exterior design that is consistent with applicable design guidelines and that complies with provincial requirements	Upon approval, minor improvements to renew the façade would be completed. To comply with provincial requirements, opaque window coverings will be installed. Final storefront to be finished similar to the applicant’s Vancouver location (shown on the following page).
Signage in accordance with the District of North Vancouver Sign Bylaw	Proposed signage is generally consistent with the Sign Bylaw. A sign permit will be required prior to installation of any signs.
Operating hours that do not exceed 9 am – 9 pm	Complies





1560 Main Street - Existing Store Frontage



Storefront of Applicant's Vancouver Location

### Concurrence

The project has been reviewed by staff from the Building, Engineering, Property Use, Community Planning and Fire Departments. No objections to the proposal were noted.

The North Vancouver RCMP has reviewed the proposal and indicated that there are no objections to the proposed cannabis retail store at this location.

The LCRB Senior Licensing Analyst has confirmed that the LCRB has completed their suitability assessment as required by the *Cannabis Control and Licensing Act*.

The site is located within 800 m of a controlled access intersection and therefore approval by the Provincial Ministry of Transportation and Infrastructure will be required prior to adoption of a rezoning bylaw, should the proposal proceed.

### Public Input

Notices were distributed to neighbours within a 100 m (328 ft.) radius of the property and a sign was placed on the property in accordance with the District's policy on “Non-Statutory Public Consultation for Development Applications.” A total of 283 notices were delivered and three responses were received, all opposed. One respondent commented that improvements to the building would be positive. Comments received by topic area are as noted below:

- Concern with exposure of children and teenagers to cannabis.
- Concerns regarding traffic and parking, including the potential for patrons to be parking on adjacent properties.

- Potential for smoking and other nuisances in the vicinity of the property.
- General concerns regarding negative neighbourhood impacts.

### **Implementation**

Implementation of this proposal requires a text amendment to the Zoning Bylaw to allow for a cannabis retail store on the property at 1560 Main Street.

Bylaw 8420 (Attachment A) amends Section 405B (1) of the Zoning Bylaw by adding 1560 Main Street to the list of properties permitted to have one cannabis retail store.

### **CONCLUSION**

The proposal for a cannabis retail store on the property generally complies with the Cannabis Policy. The Zoning Bylaw text amendment is now ready for Council’s consideration.

### **OPTIONS**

The following options are available for Council’s consideration:

1. Give Bylaw 8420 First Reading and refer Bylaw 8420 to a Public Hearing. (staff recommendation);
2. Return Bylaw 8420 to staff to negotiate changes to the proposal as directed by Council; or
3. Reject the application and inform the Liquor and Cannabis Regulation Branch of this decision.

Respectfully submitted,



Ashley Bellwood  
Development Planning

### **Attachments:**

- A. Bylaw 8420 – Zoning Bylaw Text Amendment
- B. Non-medical Retail Cannabis Policy

REVIEWED WITH:		
<input checked="" type="checkbox"/> Planning	<input type="checkbox"/> Clerk's Office	External Agencies:
<input type="checkbox"/> Permits and Licences	<input type="checkbox"/> Communications	<input type="checkbox"/> Library Board
<input type="checkbox"/> Utilities	<input type="checkbox"/> Finance	<input type="checkbox"/> NS Health
<input type="checkbox"/> Engineering Operations	<input type="checkbox"/> Fire Services	<input type="checkbox"/> RCMP
<input type="checkbox"/> Parks	<input type="checkbox"/> ITS	<input type="checkbox"/> NVRC
<input type="checkbox"/> Environment	<input type="checkbox"/> Solicitor	<input type="checkbox"/> Museum & Arch.
<input type="checkbox"/> Facilities	<input type="checkbox"/> GIS	<input type="checkbox"/> Other:
<input type="checkbox"/> Human Resources	<input type="checkbox"/> Real Estate	

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**The Corporation of the District of North Vancouver****Bylaw 8420**

A bylaw to amend District of North Vancouver Bylaw 3210, 1965

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003-950-808	1560 Main Street	Lynn Creek Town Centre	Bylaw 8420
-------------	------------------	------------------------	------------

**READ** a first time

**PUBLIC HEARING** held

**READ** a second time

**READ** a third time

Certified a true copy of "Bylaw 8420" as at Third Reading

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Municipal Clerk

**APPROVED** by the Ministry of Transportation and Infrastructure on

**ADOPTED**



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Mayor

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Municipal Clerk

Certified a true copy

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Municipal Clerk



## The Corporation of the District of North Vancouver

### CORPORATE POLICY

Title	Non-medical Retail Cannabis Policy
Section	Development and Social Planning

### POLICY

**It is the policy of Council that the approval of a retail cannabis business in the District of North Vancouver may only be considered through a rezoning application that meets the guidelines, criteria and processing requirements set out in this policy.**

Policy approved on: July 22, 2019

Policy amended on: October 7, 2019

### PROCEDURE

The following procedure is used to implement this policy but does not form part of the policy. This procedure may be amended from time to time at the discretion of the Chief Administrative Officer.

### DEFINITIONS

**“Council”** means the Council for the District of North Vancouver.

**“District”** means the District of North Vancouver.

**“Liquor & Cannabis Regulation Branch”** means the Provincial branch which regulates British Columbia's liquor industries and private retail non-medical cannabis industries (formerly Liquor Control and Licensing Branch).

**“Cannabis Retail Store”** means a business for the retail sale of non-medical cannabis for off-site consumption and cannabis accessories and does not permit a warehouse use.

### REASON FOR POLICY

To provide locational and evaluation criteria to guide decisions on permitting the retail sale of non-medical cannabis in the District.

## **PREAMBLE**

The District has taken the approach of considering retail cannabis businesses through an individual rezoning process considered on a case-by-case basis. Applications for a retail cannabis business should comply with the locational guidelines and other criteria contained in this policy and will be subject to public consultation requirements of the District's Development Procedures Bylaw and the statutory provisions of the *Local Government Act*.

## **APPLICATION**

1. This policy applies to applications for rezoning to operate a retail cannabis business in the District of North Vancouver.
2. Administration of this policy is handled through the processing of rezoning applications and preparation of bylaws for Council consideration. Compliance with this policy does not guarantee development approval from Council.
3. Applicants who apply to the Liquor and Cannabis Regulation Branch (LCRB) for any retail cannabis business licence must submit a rezoning application to the District after the application is referred to the municipality for input by the LCRB. Rezoning applications will only be considered after the date of approval of this policy.

## **LOCATIONAL GUIDELINES**

The following locational guidelines will be used to assess the suitability of a site for a retail cannabis business when an application for rezoning for such a use has been submitted to the District:

A retail cannabis business may be located on a site that:

1. Is currently zoned to permit a liquor store use;
2. Is located at least 200 metres from any elementary or high school property;
3. Does not exceed a maximum of one (1) business per each of the following key growth centres identified in the Official Community Plan\*:
  - a. Maplewood Village Centre;
  - b. Lions Gate Village Centre and Marine Drive Corridor;
  - c. Lynn Valley Town Centre;
  - d. Lynn Creek Town Centre.

\*Additional businesses outside of Town and Village Centres may be given consideration on a case-by-case basis, subject to a review of the merits of the application.

4. Complies with all of the requirements of the Provincial *Cannabis Licensing Regulation*.

#### **OTHER EVALUATION CRITERIA**

In addition to the above locational guidelines, the following criteria will be considered in evaluating a rezoning application for a retail cannabis business use:

1. Access for vehicles, including potential traffic impacts and parking availability;
2. Access for pedestrians and cyclists, including proximity to public transit;
3. A proposed interior layout that does not accommodate product sampling;
4. A proposed exterior design that is sensitive to the design and character of the respective Town and Village Centre in which it is located and is consistent with all applicable guidelines that regulate the exterior appearance of all residential and commercial properties within that Centre to the extent possible that it complies with the Provincial *Cannabis Control and Licensing Act*;
5. Design of signage that is in accordance with the District of North Vancouver Sign Bylaw;
6. Operating hours that do not exceed 9am – 9pm;
7. Store security requirements that meet the Provincial Cannabis Retail Store Licence Terms and Conditions Handbook.

#### **NON-MEDICAL CANNABIS APPROVAL PROCESS**

All retail cannabis businesses must undergo a site-specific rezoning process before the retail sale of non-medical cannabis is permitted. This will include opportunities for public consultation.

All applicants interested in establishing a retail cannabis business shall submit the following applications:

1. An application to the Provincial Liquor & Cannabis Regulation Branch (LCRB) for a cannabis retail store license prior to submitting an application for rezoning to the District;
2. An application to the District for a rezoning of the parcel to permit a retail cannabis business, once the application has been referred from the Provincial Liquor &

Cannabis Regulation Branch to the District for input. Applications for rezoning will be processed using a first-come-first-served model based on the date and time the application was forwarded to the District from the LCRB. Applications should be submitted to the District within 15 days of a referral from the LCRB. If an application is submitted more than 15 days after the referral from the LCRB, then it will be processed on a first-come-first-served model based on the date that the complete application is accepted by the District.

3. In the case of a Provincial store, the date that an application is submitted to the District will be considered the date of referral.
4. An application to the District for a development permit as required by the District;
5. An application for a District business licence, upon successful adoption of a rezoning bylaw and a positive recommendation from the District to the LCRB; and
6. Additional permit applications as required by the District, including but not limited to a building permit and/or sign permit applications.

#### **PUBLIC CONSULTATION**

1. Rezoning to permit a retail cannabis business will require public consultation as specified in District bylaws and policies (e.g. Development Procedures Bylaw) and statutory procedures set out in the *Local Government Act* (e.g. Public Hearing).
2. A summary of the public consultation will be included in a Report to Council for the rezoning application.

#### **CONDITIONS OF REZONING**

Council may require that one or more of the following conditions must be met prior to the adoption of a rezoning bylaw for a retail cannabis business:

1. The applicant may be required to submit details regarding on-site signage.
2. The applicant may be required to submit details on how potential odour that may be emitted from the premises will be controlled. A Section 219 covenant, or other means, may be used to secure any required odour mitigation measures.
3. The warehousing of cannabis as an accessory use shall not be permitted.
4. Any other conditions as may be required by Council.

## **SMOKING REGULATIONS SIGNAGE**

1. A minimum of two signs shall be posted within the interior of the building and a minimum of one sign on the exterior of the building, with all signs having dimensions of at least 12" x 18". The signage shall detail the restrictions for smoking within 6 metres of any openings to the building, including doors and windows that open and any air intake, as outlined in section 6(a) of the Smoking Regulation Bylaw.

## **COUNCIL DISCRETION**

While this policy is intended to establish a framework which would apply to all rezoning applications for retail cannabis uses, Council maintains full discretion to allow or reject any application for a retail cannabis use and may, in its sole discretion, exempt applications from all or any part of this policy.

## **AUTHORITY TO ACT**

Provincial legislation, including the *Community Charter*, *Local Government Act*, and the *Cannabis Control and Licensing Act*, authorizes the District to regulate locational aspects of retail cannabis businesses and to establish procedures to assess and approve such businesses.

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# VIRTUAL PUBLIC HEARINGS ZONING BYLAW AMENDMENTS

**When:** Tuesday, July 7, 2020 at 7pm

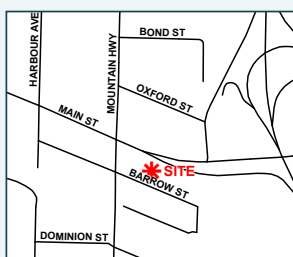
**Where:** 355 West Queens Road, North Vancouver

**How:** This Public Hearing will be held virtually, with participation by electronic means only. The hearing will be streamed over the internet at [app.dnv.org/councillive](http://app.dnv.org/councillive)

**Two public hearings will occur consecutively in the order noted below.**

## Cannabis Retail Store at 1520 Barrow St

**What:** A Public Hearing for Bylaw 8419, a proposed amendment to the Zoning Bylaw to add "Cannabis Retail Store" as a permitted use for the property located at 1520 Barrow Street in the Lynn Creek Town Centre.



*Proposed\**

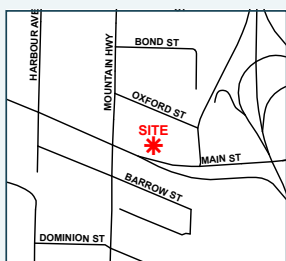


*Proposed store front*

**Questions?** Emel Nordin, Development Planner  
604-990-2347 or [nordine@dnv.org](mailto:nordine@dnv.org)

## Cannabis Retail Store at 1560 Main St

**What:** A Public Hearing for Bylaw 8420, a proposed amendment to the Zoning Bylaw to add "Cannabis Retail Store" as a permitted use for the property located at 1560 Main Street in the Lynn Creek Town Centre.



*Proposed\**



*Applicant's Vancouver location*

**Questions?** Ashley Bellwood, Development Planning Assistant  
604-990-2337 or [bellwooda@dnv.org](mailto:bellwooda@dnv.org)

## When and How can I provide input?

We welcome your input on July 7, 2020 at 7pm. You may sign up in advance to speak at the hearing by contacting the Municipal Clerk at [gordonja@dnv.org](mailto:gordonja@dnv.org) prior to noon, Tuesday, July 7, 2020. You may also provide a written submission at any time prior to the close of the hearing by sending it to the Municipal Clerk at [input@dnv.org](mailto:input@dnv.org) or by mail to Municipal Clerk, District of North Vancouver, 355 West Queens Road, North Vancouver, BC, V7N 4N5. After the speakers list has been exhausted, there will be an opportunity for additional speakers to make submissions by telephone. Dial-in information will be provided at the meeting over the internet to those viewing the video stream. *Please note that Council may not receive further submissions from the public concerning these applications after the conclusion of the public hearings.*

## Need more info?

Relevant background material and copies of the bylaws are available for review online at [DNV.org/public\\_hearing](http://DNV.org/public_hearing) from June 23 to July 7.

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