

PUBLIC HEARING BINDER

1199 Marine Drive



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**DISTRICT OF NORTH VANCOUVER
REGULAR MEETING OF COUNCIL**

Minutes of the Regular Meeting of the Council for the District of North Vancouver held at 7:02 p.m. on Monday, February 24, 2020 in the Council Chambers of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

Present: Mayor M. Little
Councillor J. Back
Councillor M. Bond (7:03 p.m.)
Councillor M. Curren
Councillor B. Forbes
Councillor J. Hanson
Councillor L. Muri

Staff: Mr. D. Stuart, Chief Administrative Officer
Ms. C. Grant, General Manager – Corporate Services
Mr. D. Milburn, General Manager – Planning, Permits and Properties
Mr. A. Wardell, General Manager – Finance and Chief Financial Officer
Mr. S. Ono, Deputy General Manager – Engineering, Parks & Facilities
Ms. J. Paton, Assistant General Manager – Planning
Ms. T. Atva, Manager – Community Planning
Mr. R. Danyluk, Manager – Business Planning and Decision Support
Mr. J. Gordon, Manager – Administrative Services
Ms. C. Archer, Confidential Council Clerk
Ms. S. Dale, Confidential Council Clerk
Ms. A. Reiher, Council Liaison / Support Officer
Ms. J. Simpson, Confidential Council Clerk

1. ADOPTION OF THE AGENDA

1.1. February 24, 2020 Regular Meeting Agenda

MOVED by Councillor FORBES

SECONDED by Councillor BACK

THAT the agenda for the February 24, 2020 Regular Meeting of Council for the District of North Vancouver is adopted as circulated.

CARRIED

Councillor BOND arrived at this point in the proceedings (7:03 p.m.).

2. PUBLIC INPUT

2.1. Ms. Judith Brook, 2400 Block Lauralynn Drive:

- Spoke in support of items 8.11 to 8.18 regarding proposed UBCM resolutions;
- Suggested fully funding the climate reserve fund;
- Commented regarding congestion pricing in other jurisdictions; and,
- Noted that the City of Vancouver has set a target date for the elimination of fossil fuel heating systems.

2.2. Ms. Nichol Reichardt, 300 Block West 2nd Street:

- Thanked Council for approving the Intergovernmental Panel on Climate Change targets and declaring a climate emergency;
- Encouraged council to fund climate change action; and,
- Spoke in support of items 8.11 to 8.18 regarding proposed UBCM resolutions.

2.3. Mr. Eric Skronek, 3100 Block Woodbine Drive:

- Spoke in opposition to item 8.12 regarding the UBCM resolution to allow municipalities to implement congestion pricing;
- Cautioned against punishing vehicle use, noting inadequate infrastructure and transit, as well as urban sprawl have created traffic issues and increased reliance on private vehicles;
- Opined that increased electric vehicle use will resolve some pollution issues;
- Expressed concern that many trades, service, and emergency service workers live outside community; and,
- Encouraged Council to consider other solutions to the climate emergency.

3. RECOGNITIONS

Nil

4. DELEGATIONS

4.1. Hollyburn Family Services Society

Re: An overview of the past year

Ms. Joy Hayden, Innovation and Engagement Specialist, and Ms. Lynn Green, Co-Vice Chair, provided an update of Hollyburn Family Service Society's activities over the past year, highlighting an increased need in the community and more complex needs of individuals and families seeking assistance. The society's program areas address social issues on the North Shore including housing instability, homelessness, poverty, and domestic and sexualized violence. Ms. Green thanked Council for the District's ongoing support through the use of District-owned properties, permissive tax exemptions and grant funding, and invited members of Council to visit the Youth Safe House.

MOVED by Councillor MURI

SECONDED by Councillor HANSON

THAT the delegation of Hollyburn Family Services Society is received for information.

CARRIED

5. ADOPTION OF MINUTES

5.1. January 20, 2020 Regular Council Meeting

MOVED by Councillor MURI

SECONDED by Councillor BACK

THAT the minutes of the January 20, 2020 Regular Council Meeting are adopted.

CARRIED

5.2. February 3, 2020 Regular Council Meeting

MOVED by Councillor MURI

SECONDED by Councillor BACK

THAT the minutes of the February 3, 2020 Regular Council Meeting are adopted.

CARRIED

6. RELEASE OF CLOSED MEETING DECISIONS

Nil

7. COUNCIL WORKSHOP REPORT

Nil

8. REPORTS FROM COUNCIL OR STAFF

MOVED by Councillor MURI

SECONDED by Councillor BOND

THAT items 8.1, 8.3, 8.5, 8.8 and 8.9 are included in the Consent Agenda and are approved without debate.

CARRIED

**8.1. Text Amendment to add “Cannabis Retail Store” at 1074 Marine Drive
(Bylaw 8421)**

File No. 08.3060.20/046.19

MOVED by Councillor MURI

SECONDED by Councillor BOND

THAT “District of North Vancouver Rezoning Bylaw 1394 (Bylaw 8421)” is given FIRST Reading;

AND THAT “District of North Vancouver Rezoning Bylaw 1394 (Bylaw 8421)” is referred to a Public Hearing.

CARRIED

**8.2. Text Amendment to add “Cannabis Retail Store” at 1629 Marine Drive
(Bylaw 8428)**

File No. 08.3060.20/060.19

Public Input:

Mr. Bert Hick, 1100 Block Pender Street, Vancouver:

- Advised he is a consultant appearing on behalf of the applicant, Donnelly Group;
- Requested that the District delay consideration of Bylaw 8428 for 30 days while the applicant works to resolve the outstanding parking issues; and,
- Noted that the applicant operates five existing cannabis outlets in British Columbia and one in Ontario.

MOVED by Councillor BOND
SECONDED by Councillor BACK

THAT “District of North Vancouver Rezoning Bylaw 1398 (Bylaw 8428)” is given FIRST Reading;

AND THAT “District of North Vancouver Rezoning Bylaw 1398 (Bylaw 8428)” is referred to a Public Hearing.

CARRIED

8.3. Text Amendment to add “Cannabis Retail Store” at 1199 Marine Drive (Bylaw 8427)

File No. 08.3060.20/056.19

MOVED by Councillor MURI
SECONDED by Councillor BOND

THAT “District of North Vancouver Rezoning Bylaw 1397 (Bylaw 8427)” is given FIRST Reading;

AND THAT “District of North Vancouver Rezoning Bylaw 1397 (Bylaw 8427)” is referred to a Public Hearing.

CARRIED

8.4. Street Naming Bylaw 8376, 2019 – Emery Court

File No. 01.0380.20/074.000

Public Input:

Mr. Juan Palacio, 200 Block West Kings Road:

- Spoke in opposition to the street name “Emery Court”;
- Noted the District’s Street Naming Policy suggests avoiding duplication; and,
- Suggested an online vote from a short list of nominees to select a new name.

MOVED by Councillor MURI
SECONDED by Councillor HANSON

THAT “Emery Court, Street Naming Bylaw 8376, 2019” is referred back to staff for further consideration.

DEFEATED

Opposed: Mayor LITTLE and Councillors BACK, BOND, CURREN and FORBES

MOVED by Mayor LITTLE
SECONDED by Councillor CURREN

THAT “Emery Court, Street Naming Bylaw 8376, 2019” is given FIRST, SECOND, and THIRD Readings.

CARRIED

Opposed: Councillor HANSON

8.5. Bylaw 8429: Housekeeping Amendments to the Bylaw Notice Enforcement Bylaw

File No. 09.3900.20/000.000

MOVED by Councillor MURI

SECONDED by Councillor BOND

THAT "Bylaw Notice Enforcement Bylaw 7458, 2004, Amendment Bylaw 8429, 2020 (Amendment 50)" is ADOPTED.

CARRIED

8.6. Grant Funding Application – Lynn Valley Road Active Transportation Improvement Project

File No. 16.8620.20/059.002.000

MOVED by Councillor MURI

SECONDED by Councillor BACK

THAT the Lynn Valley Road Active Transportation Improvement Project (Mountain Highway – Dempsey Road) and the application for grant funding through the *BC Active Transportation Infrastructure Grants Program* are supported;

AND THAT the District of North Vancouver commits to its share (\$820,000) of the total project cost of \$1.32M to be funded through the Transportation and Mobility Reserve.

CARRIED

8.7. Grant Funding Application – Dollarton Highway Sidewalk Project

File No. 16.8620.40/000.000

MOVED by Councillor MURI

SECONDED by Councillor HANSON

THAT the Dollarton Highway Sidewalk Project and the application in partnership with the Tsleil-Waututh Nation (TWN) for grant funding through the *BC Active Transportation Infrastructure Grants Program* is supported.

CARRIED

8.8. UBCM Community Emergency Preparedness Fund – Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning Application for Upper Mackay Creek Flood Mitigation Plan

File No. 11.5245.01/000.000

MOVED by Councillor MURI

SECONDED by Councillor BOND

THAT the application for grant funding through the *UBCM Community Emergency Preparedness Fund – Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning Application for Upper Mackay Creek Flood Mitigation Plan* is supported.

CARRIED

8.9. Investing in Canada Infrastructure Program Application for Grant Funding for the Reduction of Inflow and Infiltration Program

File No. 11.5340.01/000.000

MOVED by Councillor MURI

SECONDED by Councillor BOND

THAT the application for grant funding through the *Investing in Canada Infrastructure Program: Green Infrastructure – Environmental Quality Sub-Stream* for the District Reduction of Inflow and Infiltration Program is supported;

AND THAT the District of North Vancouver commits to its share (\$1,666,500) of the project over 5 years.

CARRIED

8.10. 2020-2024 Draft Financial Plan Public Input

File No.

Councillor CURREN left the meeting at 8:30 and returned at 8:31 p.m.

Councillor MURI left the meeting at 8:30 p.m. and returned at 8:34 p.m.

Public Input:

Mr. Eric Andersen, 2500 Block Derbyshire Way:

- Spoke on behalf of the Blueridge Community Association regarding a request to fund a trail connection between the Blueridge area and Parkgate.

Mr. Corrie Kost, District Resident:

- Expressed satisfaction with the draft 2020-2024 Financial Plan as presented.

8.11. UBCM Resolution: Establish Standards for Building, Electrification Heat Pumps, and Water Heaters

File No.

MOVED by Councillor CURREN

SECONDED by Mayor LITTLE

THAT the UBCM Resolution: Establish Standards for Building Electrification, Heat Pumps, and Water Heaters is supported for LMLGA consideration:

WHEREAS currently municipalities are prohibited from requiring local standards or technical requirements;

THEREFORE BE IT RESOLVED that the province enact legislation to empower municipalities to establish standards for building electrification, heat pumps, and water heaters.

CARRIED

8.12. UBCM Resolution: Congestion Pricing

File No.

Public Input:

Mr. Peter Teevan, 1900 Block Indian River Crescent:

- Spoke in opposition to congestion pricing; and,
- Opined that congestion pricing has a negative impact on people who have no alternative options.

MOVED by Councillor CURREN

SECONDED by Mayor LITTLE

THAT the UBCM Resolution: Congestion Pricing is supported for LMLGA consideration:

WHEREAS congestion leads to a plethora of issues, such as increased air pollution, increased GHG emissions, and reduced quality of life for individuals;

AND WHEREAS congestion charges have been successful in cities around the world;

THEREFORE BE IT RESOLVED THAT the province enact legislation to enable municipalities to impose and collect vehicle congestion charges.

CARRIED

8.13. UBCM Resolution: Green Roofs

File No.

MOVED by Councillor CURREN

SECONDED by Mayor LITTLE

THAT the UBCM Resolution: Green Roofs is supported for LMLGA consideration:

WHEREAS Currently the *Local Government Act* allows a local government to require landscaping under section 527 and to control runoff under section 523, but the *LGA* and *Community Charter* do not empower local governments to require and enforce the related building standard of construction (prohibited under the *Building Act*) or to require and enforce maintenance of green roofs, including with security requirements;

THEREFORE BE IT RESOLVED that the province amend the *Local Government Act* to empower local governments to expressly require green roofs and enforce the related building standard of construction, and to require and enforce maintenance of green roofs, including with security requirements.

CARRIED

8.14. UBCM Resolution: Predominant Purpose of Bylaw

File No.

MOVED by Councillor CURREN
SECONDED by Mayor LITTLE

THAT the UBCM Resolution: Predominant Purpose of Bylaw is supported for LMLGA consideration:

WHEREAS the original intent of section 9(2) of the *Community Charter* was to give a council unfettered discretion to elect to adopt a bylaw under a head of power determined by the council such that a bylaw will be upheld if it is attacked on the basis that the predominant purpose in fact (versus the legitimate purpose elected by the council) is one requiring ministerial approval;

AND WHEREAS the original intent and effect of section 9(2) was that a municipality need only determine one proper purpose for a bylaw to be valid, “even if members of Council may have had other motivations”: *International Bio Research v. Richmond (City)*, 2011 BCSC 471 at para. 43;

THEREFORE BE IT RESOLVED that the province amend section 9(2) of the *Community Charter* to provide that (a) a bylaw is presumed to be enacted validly, in good faith and for a proper purpose if the council elects to determine in the bylaw the predominant purpose, and (b) that the council may adopt a bylaw under more than one head of power under the *Community Charter*, whether this is a matter of concurrent jurisdiction under section 9(1).

CARRIED

8.15. UBCM Resolution: Regulate or Prohibit in Relation to Business

File No.

MOVED by Councillor CURREN
SECONDED by Mayor LITTLE

THAT the UBCM Resolution Regulate or Prohibit in Relation to Business Bylaw is supported for LMLGA consideration:

WHEREAS the current statute limits the authority to only “regulating” in relation to “business” and the original white paper on the *Community Charter* contained the proposed authority to “prohibit” as well as “regulate”, as in Alberta, Saskatchewan, Manitoba, Ontario, Toronto, Winnipeg and Yukon;

AND WHEREAS in order to proceed with several climate change best practices, it will be necessary to prohibit certain business practices, such as selling fossil fuel heating systems after a certain date;

THEREFORE BE IT RESOLVED that the province amend section 8(6) of the *Community Charter* to enable a council by bylaw to regulate or prohibit in relation to businesses, business activities and persons engaged in business.

CARRIED

8.16. UBCM Resolution: Water Conservation and Grey Water Use

File No.

MOVED by Councillor CURREN

SECONDED by Mayor LITTLE

THAT the UBCM Resolution: Water Conservation and Grey Water Use is supported for LMLGA consideration:

WHEREAS Local governments may require water conservation and grey water use in relation to a drainage system under section 8(2) and (3)(a) of the *Community Charter*, and as a condition in a phased development agreement under section 516(3) of the *Local Government Act*, but not in relation to plumbing requirements for new buildings or the retrofitting of old buildings;

THEREFORE BE IT RESOLVED that the province enact legislation to empower local governments to require water conservation and grey water use in relation to plumbing and drainage requirements for new buildings or the retrofitting of old buildings.

CARRIED

8.17. UBCM Resolution: GHG Reporting for Business

File No.

MOVED by Councillor CURREN

SECONDED by Mayor LITTLE

THAT the UBCM Resolution: GHG Reporting for Business is supported for LMLGA consideration:

WHEREAS Businesses in Canada are currently required to report their emissions only if their facilities emit 10,000 tons or more CO₂ equivalent per year;

AND WHEREAS carbon reporting for businesses is recognized as an important mechanism for corporate social responsibility;

THEREFORE BE IT RESOLVED that the province amend section 8(6) of the *Community Charter* to enable a council by bylaw to regulate or prohibit, or impose requirements, in relation to businesses, business activities and persons engaged in business.

CARRIED

8.18. UBCM Resolution: GHG Reduction Legislation

File No.

MOVED by Councillor CURREN

SECONDED by Mayor LITTLE

THAT the UBCM Resolution: GHG Reduction Legislation is supported for LMLGA consideration:

WHEREAS Measuring and reducing carbon pollution is critical to addressing the climate emergency:

AND WHEREAS the courts are currently bound by the Plastic Bag Decision which would likely require ministerial approval of environmental bylaws and limit authority under the other heads of power;

THEREFORE BE IT RESOLVED THAT the province enact legislation to enable local governments to require GHG emission reduction or elimination, including the sale or installation of fossil fuel heating systems and sale of fossil fuel vehicles, and require upgrades to or removal of fossil fuel heating systems.

CARRIED

9. REPORTS

9.1. Mayor

Mayor Little reported that:

- The upcoming Heritage and Advisory Design Panel Awards will be held on February 25;
- The Governor General of Canada held an event at District Hall on February 22 to recognize those involved in the Grouse Mountain rescue;
- He attended the Metro Vancouver Council of Councils meeting on February 22; and,
- End Human Trafficking Day was on February 22.

9.2. Chief Administrative Officer

Nil

9.3. Councillors

9.3.1. Councillor Curren reported on her attendance at the launch event for Edgemont Village eliminating single-use plastic bags on February 21.

9.3.2. Councillor Forbes reported on her attendance at the:

- Metro Vancouver Council of Councils meeting;
- Launch event for Edgemont Village eliminating single-use plastic bags on February 21;
- District presentation to NVCAN on the Official Community Plan targeted review; and,
- The Finance Committee presentation regarding the draft budget.

9.4. Metro Vancouver Committee Appointees

9.4.1. Industrial Lands Strategy Task Force – Councillor Back

Nil

9.4.2. Housing Committee – Councillor Bond

Councillor Bond reported on his attendance at the February 5 Housing Committee meeting where the Metro Vancouver Housing Corporation presented its new tenant eligibility criteria.

9.4.3. Indigenous Relations Committee – Councillor Hanson

Councillor Hanson reported on his attendance at the signing of the co-management agreement between Metro Vancouver and the Tsleil-Waututh Nation.

9.4.4. Board – Councillor Muri

Nil

9.4.5. Regional Parks Committee – Councillor Muri

Councillor Muri reported on her attendance at the signing of the co-management agreement between Metro Vancouver and the Tsleil-Waututh Nation.

9.4.6. Liquid Waste Committee – Mayor Little

Nil

9.4.7. Mayors Committee – Mayor Little

Nil

9.4.8. Mayors Council – TransLink – Mayor Little

Nil

9.4.9. Performance & Audit Committee – Mayor Little

Nil

9.4.10. Zero Waste Committee – Mayor Little

Nil

10. ADJOURNMENT

MOVED by Councillor BACK

SECONDED by Councillor BOND

THAT the February 24, 2020 Regular Meeting of Council for the District of North Vancouver is adjourned.

CARRIED
(9:15 p.m.)

Mayor



Municipal Clerk

DESCRIPTION OF PROPOSAL

GENERAL REZONING

1199 MARINE DRIVE, NORTH VANCOUVER

(the "**Property**")

In relation to the rezoning application to the District of North Vancouver (the "**District**") for a text amendment to add retail cannabis sale as a permitted use for the Property (the "**Proposal**") by **1201828 B.C. LTD.**, doing business as **BUDHOUSE** (the "**Applicant**"), the Applicant wishes to outline the following with respect to the proposal:

- (a) overall design and objectives;
- (b) assessment of the impact on the area and adjacent properties; and
- (c) indication of the community benefits.

Overall Design and Objectives of the Proposal

As a result of the legalization of cannabis in Canada on October 17, 2018, the Applicant is intending to enter the non-medical cannabis retail market in British Columbia. In doing so, the Applicant intends to be fully compliant with all municipal, provincial and federal laws.

In accordance with the Province's requirements and the District's approved Non-Medical Retail Cannabis Policy (the "**Policy**"), the Applicant has submitted an application for a provincial Non-Medical Cannabis Retail licence for the Property. The Applicant is also submitting this description of the Proposal in accordance with the Policy.

The Property is an existing building which was structured in accordance with the District's requirements prior to the Applicant's involvement. The Applicant does not propose to make changes to the structure of the Property. Instead, the Applicant wishes to take advantage of the Property by applying its appealing design and creating a space which suits the District's neighbourhood and the Applicant's brand. The overall design of the Applicant's proposed business (the "**Business**") can be best described as an upscale boutique style shop. The design of the Business is intended to illustrate the "boutique" nature of a shop selling a selection of very specialized goods.

The objective of the Proposal is to permit the Applicant to operate a legal non-medical cannabis store on the Property which will make high-quality, safe and tested cannabis more accessible to the community of the District (the "**Community**"). The Applicant will target cannabis users that are looking for the safety and reliability that can be provided by a provincially licensed retail location with the convenience of a community based store.

Assessment of the Impact on the Area and Adjacent Properties

As the Applicant does not propose to make changes to the structure of the Property, the area and adjacent properties will not be burdened by extensive construction or related nuisances in relation to the Proposal.

In addition, the Applicant wishes to address certain common concerns regarding the nature of the Business and its impact on the area and adjacent properties.

In a country where marijuana is legal, any negative impacts will be felt across the country, and not just be limited to the area and adjacent properties. The Business should have no negative impacts greater than the cumulative effect of cannabis legalization throughout the country. Nevertheless, the Business will implement various strategies to mitigate potential negative impacts on the area and adjacent properties as further described below.

The Business will take reasonable measures to prevent disturbances including:

1. Installing adequate lighting outside the store and in the parking lot;
2. Supervising parking areas;
3. Posting signs asking patrons not to disturb the neighbours; and
4. Installing security cameras with an unobstructed view of retail and product storage areas as well as the interior and exterior of all entrances and exits.

With regard to the possibility of nuisance associated with odour, this is not expected to be an issue in light of the wholesale distribution system that has been implemented (there will be no preparation or processing of cannabis on site). That being said, the Applicant intends to take reasonable measures to ensure that potential odour impacts on the area and adjacent properties are minimized, which measures are further described in the Odour Mitigation Strategy submitted with this Proposal.

Accordingly, the Applicant does not expect that the Proposal will negatively impact the area or adjacent properties. In fact, it is expected that the area and adjacent properties will benefit in similar ways to the Community as a whole, as further described below.

Indication of the Community Benefits of the Proposal

The positive benefits that the Business will have on the Community are undeniable.

The Business will provide economic benefits including support for the Community through secure jobs for local residents. Each employee of the Applicant will be provided a living wage relevant to the District's area. The Business will also strive to source cannabis accessories (as defined in the *Cannabis Act*) from sources within the Community, wherever possible.

The Business will also provide social benefits, including the accessibility of legal cannabis to those in the Community. The Business will be fully accessible, allowing easy access for seniors, and

those with reduced mobility. The legality, presence and accessibility of the Business is also expected to lessen any lingering negative stigma surrounding cannabis in the Community. The Business will take steps to ensure safety of its customers and those in the Community, including monitoring loitering outside of its store. In addition, the Business, by virtue of operating a legal cannabis retail business in the Community, would allow the ability to monitor sales and ensure age restrictions are being observed.

The Business intends to uphold its environmental responsibility to the highest degree and be as "green" as possible to reduce the environmental impact. The Business will recycle all packaging provided by the government. At a larger scale, the environmental benefits of the Business, by virtue of operating a legal cannabis retail business in the Community, include the government's ability to control matters such as the sources of legal cannabis for wholesale, the wholesale facilities and packaging. The Business will not only adhere to the rules and regulations regarding matters such as packaging, but it is committed to monitoring the Community's feedback and advocating to address any environmental concerns.

DESCRIPTION OF PROPOSAL

NON-MEDICAL RETAIL CANNABIS POLICY

1199 MARINE DRIVE, NORTH VANCOUVER

(the "**Property**")

In relation to the rezoning application to the District of North Vancouver (the "**District**") for a text amendment to add retail cannabis sale as a permitted use for the Property (the "**Proposal**") by **1201828 B.C. LTD.**, doing business as **BUDHOUSE** (the "**Applicant**"), the Applicant wishes to outline the following with respect to the proposal:

- (a) appropriateness of the proposed site;
- (b) business hours; and
- (c) store security.

Appropriateness of the Proposed Site

The appropriateness of the Property for a non-medical cannabis store is supported by the District's locational guidelines as set out in its approved Non-Medical Retail Cannabis Policy (the "**Policy**"). Specifically, the Applicant confirms that the Property:

- (a) is currently zoned to permit a liquor store use;
- (b) is located at least 200 metres from any elementary or high school property;
- (c) is located in the Lions Gate Village Centre and Marine Drive Corridor key growth centre as identified in the Policy and the District's Official Community Plan; and
- (d) complies with all of the requirements of the Provincial *Cannabis Control and Licensing Act* and *Cannabis Licensing Regulation*, including but not limited to requirements for floor and site plans, cannabis sales and storage areas and all security requirements.

In addition, the Property meets the specific requirements of the Liquor & Cannabis Regulation Branch of British Columbia (the "**LCRB**") in relation to having no connecting doors and full separation from other businesses.

Business Hours

The Applicant's operating hours will be limited to 9:00 a.m. to 9:00 p.m., seven days per week.

Store Security

Summary of LCRB Store Security Requirements

The LCRB requires that a cannabis retail store has, at a minimum, the following security requirements:

1. Intruder and fire monitoring alarm systems;
2. Locked retail product display cases;
3. Locked cannabis storage room;
4. Secure perimeter door locks;
5. Security cameras with full unobstructed view of:
 - (a) the retail sales area;
 - (b) any product storage area; and
 - (c) both the interior and exterior of all entrances/exits.

In addition, the LCRB has the following requirements with regard to security cameras:

1. The cameras will be active and recording at all times, including when the retail store is not open for business;
2. The retail store will ensure that store security camera footage will be stored for at least 30 days after recording; and
3. The retail store will post a written notice in the retail sales area visible at all times informing all patrons that video surveillance is being used on the premises.

This summary of store security and the Floor Plan attached as Appendix A will confirm that the Applicant meets or exceeds all security requirements.

Opening and Closing Procedures

All security protocols as they relate to opening and closing procedures are not mandated by the Province and therefore exceed Provincial requirements.

The opening staff member will disarm the alarm system and verify that the video camera system is functioning properly. Cannabis products will be taken from the secured cannabis storage and put into the locked product display cases. All cannabis products are in locked display cases accessible by staff only.

Once these measures have been taken along with other opening procedures, the store will be opened to the public.

There will always be two employees on duty during the hours that the retail store is open and the retail store will be closed if at any time the security requirements are not operating.

Store closing will entail clearing all customers from the premises and locking the perimeter. Although not required by the LCRB, licensees are encouraged to have a strategy in place to clear the store. The Applicant has therefore exceeded the Provincial requirements by putting a policy in place.

1. At 8:45 pm, any customers in the store will politely be advised by staff on duty that the store will be closing in 15 minutes;
2. At 8:55 pm, any customers still in the store will be politely advised that the retail store is about to close and asked to finalize their purchases;
3. At 9:00 pm, the doors will be locked so that no further customers can enter the store. Any customers still in the store will be politely advised that the retail store's opening and closing hours are regulated and they are required to clear the store; and
4. While it is not anticipated that this situation would escalate and it would become necessary to escort customers from the premises, if it were to be required, the policy for removing those in the event of a disturbance on page 5 will be implemented.

At the end of the day, after remaining cannabis product is inventoried, it will be moved to the secured cannabis storage area. Cash will be removed from the till at the same time and the cash register will be left open so that there is visual proof that no cash is retained on the premises.

Although cannabis products are required to remain stored on site, cash will be removed from the store regularly so as not to remain onsite. The proposed staff schedules have been created so that a cash drop can be made by the opening shift, part-time employee once the closing shift part-time employee arrives while still maintaining two employees on site. It is however expected that licensed cannabis retail stores will be able to secure credit card and debit machines for their point of sale systems so that most sales will be completed using these methods and not cash.

At closing time and before employees exit, exterior camera views will be checked to make sure there is no suspicious activity or persons present. Having two staff present will allow employees to have one person secure the store, alarm system and doors while the other carries any receipts for bank drop and provides observation of the area surrounding the retail store.

Intrusion, Fire & Duress Alarm Systems

The LCRB requires that a retail store has an intruder and fire monitoring alarm system and secure perimeter door locks. Please see Appendix A which illustrates the secure perimeter door locks. The Applicant confirms that it will have intruder and fire monitoring alarm systems in accordance with the Provincial requirements, as follows:

The Applicant's retail store will be equipped with an intrusion alarm system connected to a UL compliant monitoring centre. Each of the doors on the premises has a deadbolt lock with electronic

pad. There is an alarm siren that sounds when the intrusion alarm system is triggered. This system also monitors both smoke detectors in the retail store to provide continuous fire protection.

A duress alarm system operates in conjunction with the intrusion alarm and is activated when the button at the retail counter is pressed.

An intrusion alarm system will trigger if there is a breach or internal activity sensed by these motion detectors. If triggered, an alarm will be sent to the monitoring centre and the police will then be notified and dispatched immediately. The Applicant's director along with an assigned store manager on call will also be notified so they may attend the store and assist police with their response and investigation.

Security Video Device Locations, Viewing Angles & Storage

The following represents the requirements of the LCRB with regard to security cameras:

1. The cameras will be active and recording at all times, including when the retail store is not open for business;
2. The retail store will ensure that store security camera footage will be stored for at least 30 days after recording; and
3. The retail store will post a written notice in the retail sales area visible at all times informing all patrons that video surveillance is being used on the premises.

The Applicant confirms that the security cameras indicated on the attached Appendix A will record as required above and that the appropriate notice will be posted in the retail sales area.

In addition, the LCRB requires that security cameras have a full unobstructed view of:

1. the retail sales area;
2. any product storage area; and
3. both the interior and exterior of all entrances/exits.

The Applicant refers the reader to Appendix A which includes all security requirements regarding the placement of security cameras. The Applicant confirms that its placement of security cameras meets or exceeds the above noted requirements of the LCRB and has a full unobstructed view of all the above noted areas.

The proposed retail store's security cameras are located at both the exterior and interior of the retail store. Please see Appendix A attached which shows the location of all security cameras. The exterior cameras are primarily intended to observe and record activity. The interior cameras are intended to provide sufficiently detailed images for identification of individuals and record activity.

The angle of view for each camera will be optimized to provide video coverage commensurate with the purpose of each camera. The cameras observing the entrance will have a restricted angle of view to capture everyone entering the store without leaving gaps by which customers might enter and leave undetected. Views of all interior areas will be wide to cover the entire retail area as well as cannabis storage areas so that customer and staff activities may be recorded. See attached floor plan at Appendix A to see camera locations and angles of view.

The exterior cameras will have a wide angle of view and low light capability to enable staff to observe potential prowlers before exiting the proposed retail store.

Locked Retail Product Display Cases and Locked Cannabis Storage Room

In accordance with the requirements of the LCRB, all cannabis products and cannabis accessories must be in locked retail product displays that cannot be accessed by anyone but authorized staff.

All displays of cannabis products and cannabis accessories in the proposed retail store will meet these requirements as indicated on Appendix A. In addition there will be two counters where customers can smell and view the available cannabis products through smell jars. The smell jars will be tethered and physically attached to the counters. Sampling of cannabis product will not be permitted. In addition, the Applicant confirms that the door to the cannabis storage area will be locked and only accessible to authorized staff.

Controlling the Store

The LCRB requires that a licensee and their employees are responsible for controlling the behaviour of their patrons.

Specifically, cannabis use must not be permitted in-store. A licensee must ensure that no weapons are brought into the store and that no criminal activity takes place in the store. If employees, patrons or members of the community have reason to be concerned that there is a threat to their safety, a licensee must act on these concerns. In furtherance of this requirement, the Applicant has established the following procedures:

If the event of attempted cannabis use in the retail store or any other unruly or concerning behavior, the particular patron(s) should be immediately escorted off the premises as follows:

1. Patron should be initially requested to leave the retail store;
2. Patron should only be ejected from the retail store physically if the safety of staff or customers was at risk and there was confidence that the situation could be safely managed and the patron was not armed;
3. If a patron threatens other staff or customers or becomes physically combative, staff should trigger the duress alarm and make all attempts to withdraw from the confrontation if possible; and
4. Police should be called in all cases where a patron does not leave upon request, cannot be safely removed or threatens staff or customers.

Putting these procedures in place meets or exceeds any requirements of the LCRB requiring a licensee to control the retail store.

Security Event Operational & Response Procedures

In the event of a robbery on the premises, employees have been instructed to cooperate with any demands made by a robber. Employees will be trained to follow the following procedures during a robbery:

1. Stay calm.
2. Do not make sudden moves. If you must reach for something or move, tell the robber what to expect.
3. Do not resist. Do nothing that will put you or others at risk.
4. Do not argue with the robber.
5. Obey the robber's orders including giving the robber money.
6. Even if the robber does not show a weapon, assume he has one.
7. Focus on remembering details about the robber:
 - Hair color
 - Height
 - Weight
 - Voice
 - Age
 - Clothing
 - Distinguishing marks, i.e., tattoos, scars
 - Noticeable traits, i.e., limp, accent, glasses, left- or right-handed
 - What did he touch, so you can preserve it for fingerprints?
 - What direction did they go and did they use a vehicle?
8. Activate an alarm if it is safe to do so.
9. Obtain contact information of any witnesses present during the robbery to assist the police.

Incident Reporting Procedures

Any serious security incidents in the retail store will be managed by calling 9-1-1, filing a police report and generating a written record of the incident. Events that qualify as serious security incidents would include thefts, break and enter attempts, threats or assaults on or near the retail store premises and vandalism.

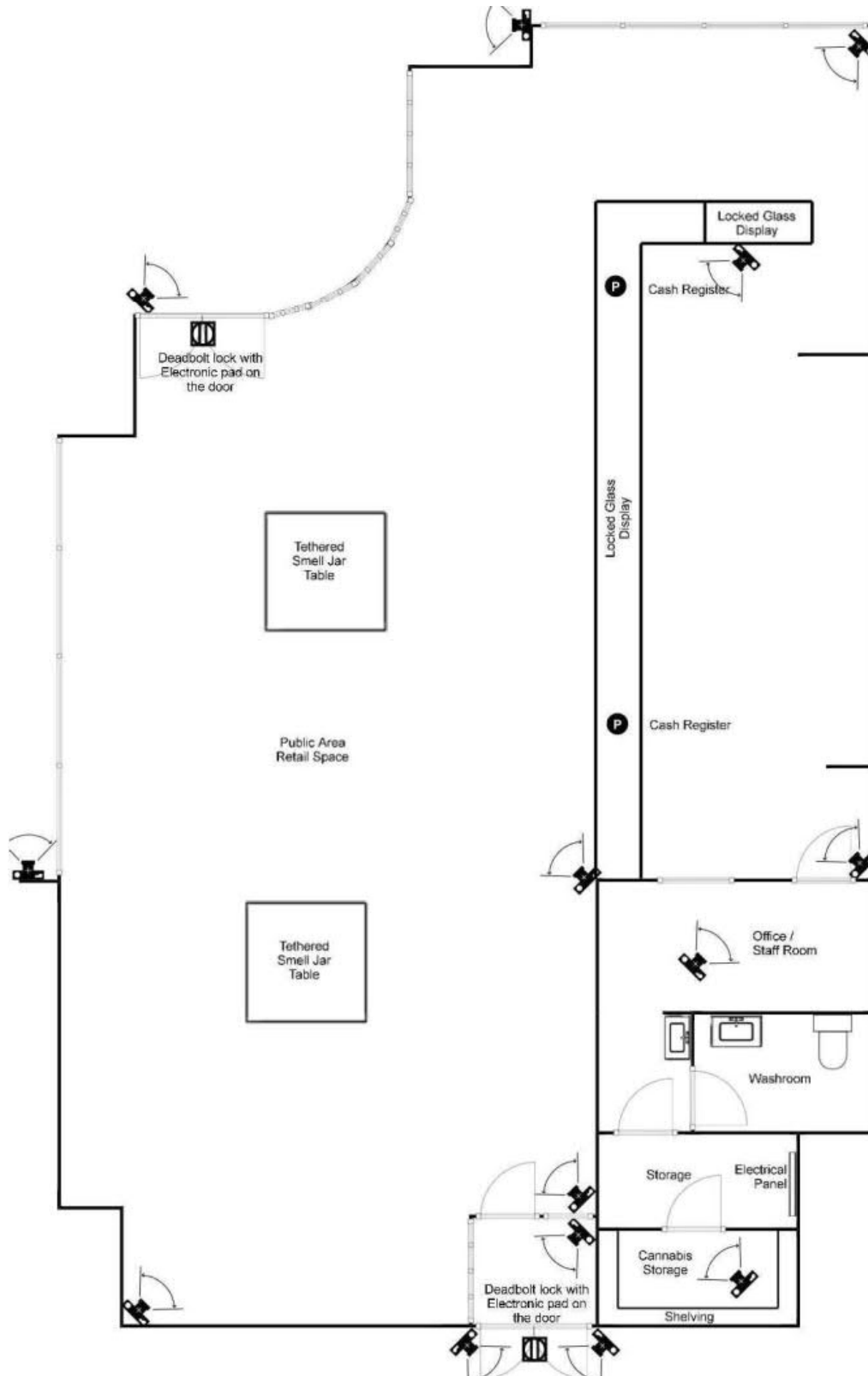
Suspect identification sheets will be kept on the premises as an aid to remembering and describing a robber or person committing a serious security incident. Written records should include the following information:

1. Identifying characteristics or name of anyone involved and the names of any witnesses to the incident.
2. The facts of the incident.
3. The date of the incident along with the time of the incident as well as the time the report was written.
4. A description of where the incident took place.
5. If the author of the report knows of any cause or reason for the incident, it should be included.

The finished report will be provided to management and provided to the police or the LCRB as required.

Less serious security incidents such as inventory irregularities and non-compliance or shortfalls with safety and security policies will be written into permanent company records and managed by the Applicant's director.

APPENDIX A FLOOR PLAN



ODOUR MITIGATION STRATEGY

1199 MARINE DRIVE, NORTH VANCOUVER

(the "**Property**")

In relation to the rezoning application to the District of North Vancouver (the "**District**") for a text amendment to add retail cannabis sale as a permitted use for the Property (the "**Proposal**") by **1201828 B.C. LTD.**, doing business as **BUDHOUSE** (the "**Applicant**"), the Applicant wishes to outline its odour mitigation strategy.

With regard to the possibility of nuisance associated with odour, this is not expected to be an issue in light of the wholesale distribution system that has been implemented. All product will be distributed by the Liquor Distribution Branch in pre-packaged sealed packages prepared for sale by the retailer in ready-to-sell formats. Retailers will not be permitted to open these packages (except in extremely limited circumstances for smell jars) or re-package the product and there will be no preparation or processing of cannabis on site. That being said, the Applicant will also take reasonable measures to ensure that odour impacts on neighbouring properties are minimized, including:

- (a) installing and maintaining an air filtration system at the Property; and
- (b) strictly prohibiting use of cannabis at the Property, which will include posting at least two signs within the interior of the building and one sign on the exterior of the building (each of at least 12" x 18") detailing the restrictions for smoking (of any kind) within 6 metres of any openings to the building, including doors and windows.

In light of the above, it is not expected that the Business will produce any nuisance associated with odour.

DESCRIPTION OF PROPOSED BUSINESS OPERATIONS

GENERAL REZONING

1199 MARINE DRIVE, NORTH VANCOUVER

(the "**Property**")

In relation to the rezoning application to the District of North Vancouver (the "**District**") for a text amendment to add retail cannabis sale as a permitted use for the Property (the "**Proposal**") by **1201828 B.C. LTD.**, doing business as **BUDHOUSE** (the "**Applicant**"), the Applicant wishes to provide the following description of its proposed business operations.

Company Summary

The Applicant is a new Company which was incorporated on March 20, 2019. As a result of the legalization of cannabis in Canada on October 17, 2018, the Applicant is intending to enter the non-medical cannabis retail market in British Columbia.

Corporate Structure

The Applicant is a British Columbia incorporated Company and will be led by Jeffrey Thompson ("**Jeff**") as the sole Director.

Main Goals

Obtaining a British Columbia Non-Medical Cannabis Retail Licence to operate in the District of North Vancouver.

Obtaining a District of North Vancouver Business Licence.

To be fully compliant with all municipal, provincial and federal laws.

Past Business Experience

As a newly incorporated company, the Applicant itself does not have an extensive business history but its director, Jeff, is an experienced business person and has experience in the licensing and regulation of non-medical cannabis retail sales. Jeff's business "The Higher Path" was the first licensed non-medical cannabis store in Trail and the first licensed non-medical cannabis store in Castlegar. These retail outlets were the sixth and ninth provincial non-medical cannabis retail licenses to be awarded respectively.

Staff

The Applicant anticipates requiring four full-time staff and two to four part-time staff. The Applicant will require that there be a minimum of two-staff on duty at all times during opening hours.

In accordance with the requirements of the Liquor and Cannabis Regulation Branch ("**LCRB**"), all employees will be qualified and pass a training program including worker security verification.

Products Sold

All British Columbia retailers are required to purchase their cannabis product supply directly from the British Columbia Liquor Distribution Branch ("**LDB**"). Product will be purchased from the LDB in pre-packaged ready to sell and specific size formats.

At this time, the retail store will only be permitted to sell dried cannabis, cannabis oil and cannabis seeds. This will include dried flower, Pre-rolls, Oils and Capsules. Edibles, topicals and concentrates will be added later this year.

In light of the strictly regulated nature of the industry, there will not be a wide choice to the retailer of the products that will be sold for sale. The type, packaging and size format is all regulated so the choice of products sold will be a choice between the same, type and size of product that is offered by the different licensed producers that have supplied the LDB.

It will be a necessary part of this brand new industry for each retail store to assess the product offered by the different licensed producers and determine those which will appeal to customers the most.

The retail store will also sell cannabis accessories as permitted by the *Cannabis Act* such as rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers. As the retail store will be permitted to source its own cannabis accessories, we expect to offer a wide assortment of specialty pipes, bongs and vaporizers specializing in those that are locally made.

Target Market

Now that cannabis is legalized, the operation of legal non-medical cannabis stores will make high-quality, safe and tested cannabis more accessible. Studies suggest that 40% of the adult Canadian population are potential cannabis consumers but that cannabis consumption tapers off with age. Although a higher percentage of Millennials (born in the late 1980s and 1990s) than Gen Xers (born in the mid-1960s to the early 1980s) are reported cannabis users, a legal cannabis retail store will likely have greater appeal to the older generations that have only been willing to participate in the industry once legalized and available in a brick and mortar location. It is therefore expected that the retail store's target market will be older than the overall average cannabis user when compared to overall participation of the general population in the pre-legalization market. The Applicant will target cannabis users that are looking for the safety and reliability that can be provided by a provincially licensed retail location with the convenience of a community based store. This target market prefers to purchase its cannabis in person where it can see and smell the product instead of purchasing online and having to wait for delivery.

As a result of the strict regulations on advertising and branding, the target market is expected to be concentrated in the local area. It should also be noted that many municipalities in the Lower Mainland either have no process in place to licence non-medical cannabis retail stores or will prohibit the licensing of cannabis retail stores. It is therefore expected that this proposed cannabis

retail store in the District will also serve those outside the community who are in areas that are not yet serviced by private non-medical cannabis retail stores.

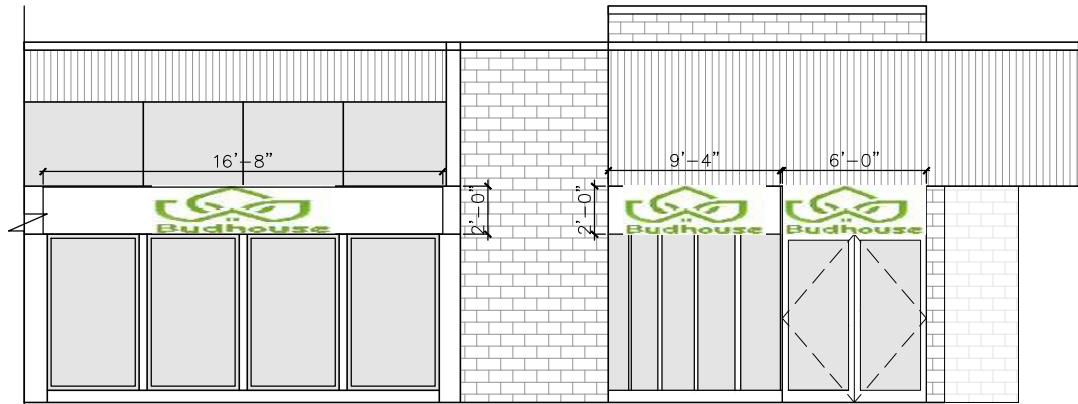
Other General Business Information

As discussed in the section regarding the products to be sold, all retail outlets in British Columbia will be required to obtain their product from the LDB. In addition, retailers are prohibited from entering into any agreements with licensed producers to offer their product to the exclusion of others. Retail stores then are not going to be able to make themselves stand out as a result of the products they sell as everyone will essentially be selling the same pre-packaged products. The retail store then intends to distinguish itself based on excellent customer service and knowledgeable staff.

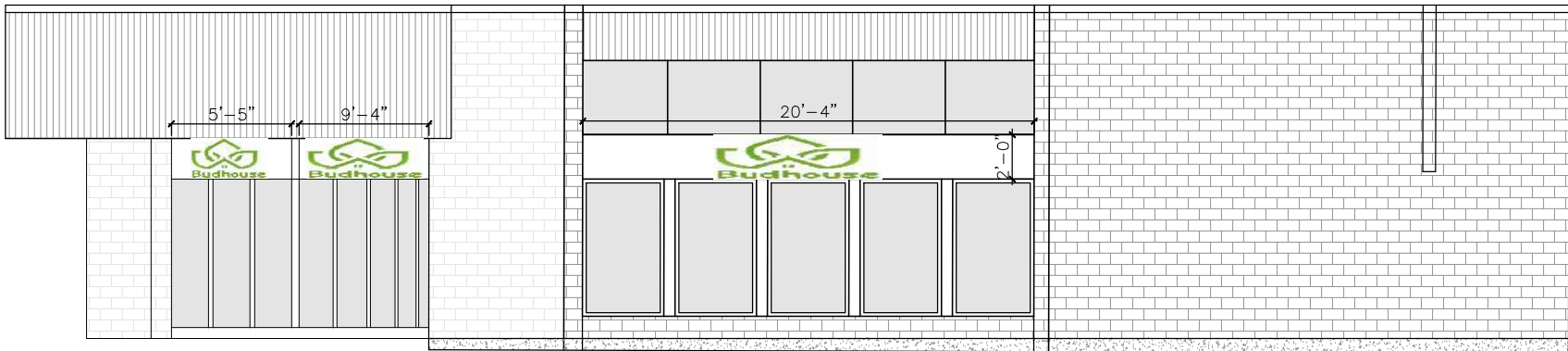
The Applicant recognizes that good customer service skills come more naturally to some and our recruitment procedures will focus on hiring and retaining staff that have such skills. This includes hiring employees that are great communicators and problem solvers but will most importantly focus on training.

While all cannabis retail store employees in British Columbia will be required to undergo training and qualification with the Province, the Applicant intends to provide in-depth in-house training to all employees to ensure they have detailed and current knowledge of the cannabis products available in the retail store. Employees will be able to both advise customers on the products as well as discuss how they can be used safely.

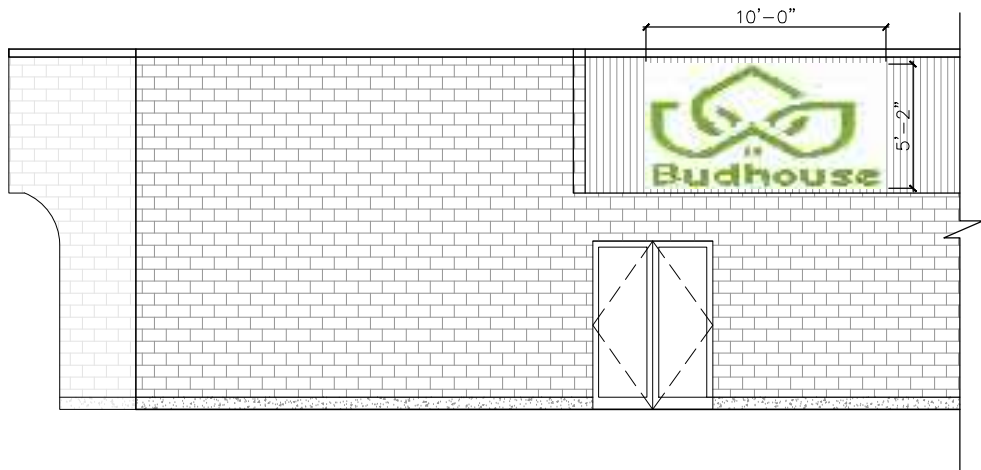
The knowledge of our staff and the customer service that we can provide will allow the Applicant to stand out amongst other non-medical cannabis retail dispensaries selling the same product.



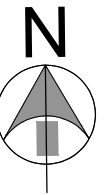
NORTH ELEVATION
SCALE: 1/8"=1'-0"



WEST ELEVATION
SCALE: 1/8"=1'-0"



NORTH ELEVATION
SCALE: 1/8"=1'-0"



The contractor shall check and verify all dimensions and data noted on site and is responsible for reporting any discrepancies to Owner prior to commencement of work. All drawings are the property of Designer and shall not be reproduced without written consent of the Designer. Drawings shall not be scaled.

NO.	ISSUED / REVISED	DATE
-----	------------------	------

Constance Nikiforova
211-619 Moberly Rd.,
Vancouver, BC
V5Z 4B1
ph: 604-600-5325
ni.constance@hotmail.com

CLIENT:

1199 Marine Drive
North Vancouver

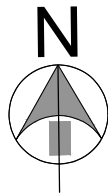
DRAWING TITLE:
**EXISTING EXTERIOR
ELEVATIONS**

DRAWN BY: CN
SCALE: 1/8"=1'-0"
DATE: Sept 23, 2019
DRAWING NUMBER:
A 3 OF 3

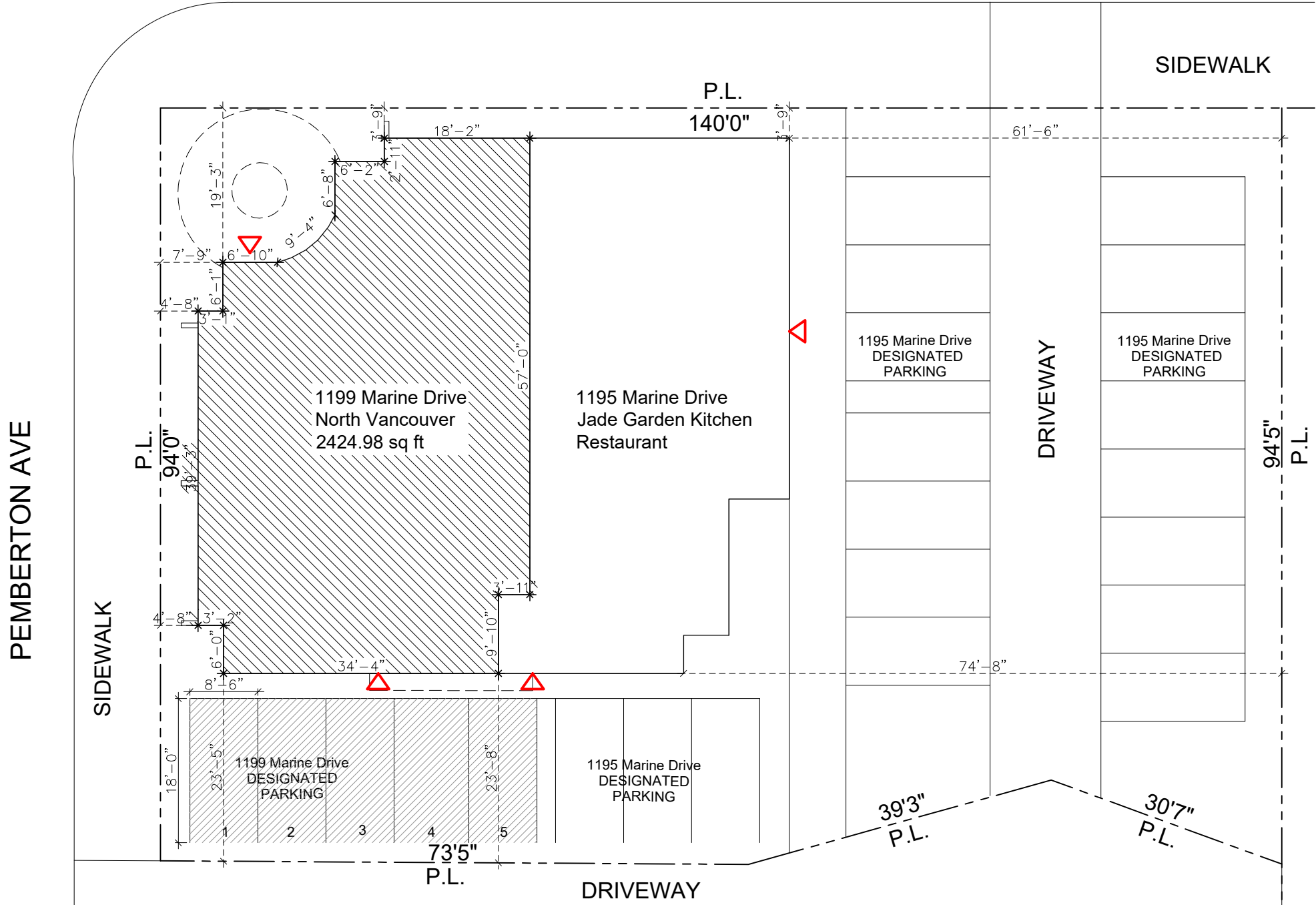
ADDRESS: 1199 Marine Drive,
North Vancouver, V7P 1S8

LEGAL DESCRIPTION:
- LOT D
- BLOCK 54
- DISTRICT LOT 552
- PLAN 4680
- PID 011-418-524
- NEW WESTMINSTER DISTRICT

PROJECT DATA:
ZONING: C9
LOT AREA: 12,955.44 SQ FT (1,203.60 sq m)
BUILDING COVERAGE: UNIT1199-2424.98 SQ FT + UNIT1195-2013.26 SQ FT= 4438.24SQ FT
SITE COVERAGE: 10 098.24 SQ FT= 78% (85% ALLOWED)
FSR: 34% FOR UNIT 1199 AND 1195 (65% ALLOWED)
16% FOR UNIT 1199
BUILDING HEIGHT: 15 FEET (Existing) (40FT ALLOWED)
PARKING: 5 STALLS



MARINE DRIVE



*NO CHANGES ARE PROPOSED TO EXISTING EXTERIOR



STORE EXTERIOR PHOTO (PEMBERTON AVE.)
SCALE: NOT TO SCALE



STORE EXTERIOR PHOTO (MARINE DRIVE)
SCALE: NOT TO SCALE

The contractor shall check and verify all dimensions and data noted on site and is responsible for reporting any discrepancies to Owner prior to commencement of work. All drawings are the property of Designer and shall not be reproduced without written consent of the Designer. Drawings shall not be scaled.

NO.	ISSUED / REVISED	DATE
-----	------------------	------

Constance Nikiforova
211-619 Moberly Rd.,
Vancouver, BC
V5Z 4B1
ph: 604-600-5325
ni.constance@hotmail.com

CLIENT:

1199 Marine Drive
North Vancouver

DRAWING TITLE:

SITE PLAN

DRAWN BY: CN

SCALE: 1/16"=1'-0"

DATE: Sept 23, 2019

DRAWING NUMBER:
A 1 OF 3

SITE PLAN
SCALE: 1/16"=1'-0"

PLANS FOR VEHICLE ACCESS, PARKING AND TRAFFIC MITIGATION

1199 MARINE DRIVE, NORTH VANCOUVER

(the "**Property**")

In relation to the rezoning application to the District of North Vancouver (the "**District**") for a text amendment to add retail cannabis sale as a permitted use for the Property (the "**Proposal**") by **1201828 B.C. LTD.**, doing business as **BUDHOUSE** (the "**Applicant**"), the Applicant wishes to outline its plans for vehicle access, parking and traffic motivation.

For ease of reference, a copy of the site plan for the Property showing parking and vehicle access is attached as Appendix A.

Vehicle Access

The Property is accessible by vehicle from both Marine Drive and Pemberton Avenue.

Parking

There are five (5) designated parking spots at the rear of the Property. The parking lot for the Property is accessible by vehicle (by way of driveways) from both Marine Drive and Pemberton Avenue. There is no street parking available on site.

Traffic Mitigation

As the Property is located on the corner of two main routes in the District, there are existing traffic mitigation strategies (i.e. paved roads, both vehicle and pedestrian traffic light controls, traffic and parking signage) in accordance with the District's requirements which will benefit the Property and its surrounding area.

In addition, the Applicant expects that it has ample designated parking to mitigate any traffic concerns. On average, it is expected that each customer spend 20-30 minutes at the Property each visit. This generally small time frame allows for quick turnover of parking availability for customers.

Traffic will also be mitigated by virtue of the Property's accessibility. The Property can be easily accessed by transportation methods other than vehicle, including by transit, bike and foot. The closest bus stop is just steps away from the Property's front door (Eastbound Marine Dr @ Pemberton Ave). There is also a designated bike lane that fronts the Property on Marine Drive. In addition, the Property has a Walk Score of "Very Walkable" or 89/100.¹ Accordingly, it is expected that many customers will be able to access the Property by foot.

With respect to the safe and responsible use of cannabis as it relates to traffic, the Applicant intends to have posters in the retail store reminding people not to drive or operate vehicles while under the influence.

¹ <https://www.walkscore.com/score/1199-marine-dr-n-vancouver-bc-canada>

{00534660.DOCX; 1}



Pemberton Ave

AMIR MIRI
604.657.5030

Secretary
Assistant
Executive

hen 604-98
604-98

 Budhouse 





Budhouse



Budhouse

100% All Natural Kitchen
100% All Natural Kitchen
100% All Natural Kitchen
100% All Natural Kitchen
100% All Natural Kitchen



April 2nd, 2020

Job #002583

via email: planning@dnv.org

Ashley Bellwood
Planning Assistant
District of North Vancouver

Re: Application for a Non-Medical Cannabis Retail Store Licence
Applicant: 1201828 B.C. Ltd.
Proposed Establishment Name: Budhouse
Proposed Establishment Location: 1199 Marine Drive, North Vancouver, V7P 1T1

The Liquor and Cannabis Regulation Branch (LCRB) has completed the eligibility and suitability requirements of the *Cannabis Control and Licensing Act* (the Act) for 1201828 B.C. Ltd., and persons associated with 1201828 B.C. Ltd..

One of the requirements that must be met before the issuance of a Non-Medical Cannabis Retail Store Licence (CRS) under the Act is a positive recommendation from the local government and/or Indigenous nation of the area in which the proposed retail store is located. The General Manager must take the recommendation into account in deciding whether to issue the CRS to the applicant.

If the local government or Indigenous nation chooses not to make a recommendation regarding this application, please contact the LCRB at the earliest convenience.

For more information on the local government and Indigenous nation role please see the following links:

https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/documents/local_government_role_in_licensing_cannabis_retail_stores.pdf

OR

https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/documents/indigenous_nation_role_in_licensing_cannabis_retail_stores.pdf

If you have any questions please feel free to contact me at 778-974-4503 or kerry.marshall@gov.bc.ca.

Sincerely,

Kerry Marshall
Senior Licensing Analyst

copy: Applicant

**Liquor and Cannabis
Regulation Branch**

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8

Location:
645 Tyee Road
Victoria BC V9A 6X5
Phone: 250 952-5787
Facsimile: 250 952-7066

Website:
[www.gov.bc.ca/cannabisregulation
andlicensing](http://www.gov.bc.ca/cannabisregulationandlicensing)

Rupi Gill, Provincial Director Compliance

ADDENDUM TO THE PROPOSAL: RESPONSE TO COMMUNITY LETTERS

GENERAL REZONING

1199 MARINE DRIVE, NORTH VANCOUVER

(the "**Property**")

In relation to the rezoning application to the District of North Vancouver (the "**District**") for a text amendment to add retail cannabis sale as a permitted use for the Property (the "**Proposal**") by **1201828 B.C. LTD.**, doing business as **BUDHOUSE** (the "**Applicant**"), the Applicant wishes to provide the following response to the community letters that were received by the District.

Community Concerns

While the specific community concerns have already been addressed in our re-zoning application package and Proposal submitted to the District in October 2019, we provide a summary here which will also direct Council to the specific sections of our Proposal package where the issues have been referenced in more detail.

The District has advised that the community responses appear to concern the following issues:

- Proximity to nearby childcare facilities and areas where youth and families frequent, including restaurants, recreational facilities, transit stops and parks;
- Potential for second hand smoke to affect the aforementioned groups and influence behaviour; and
- Concerns with loitering, unsuitable behaviour, and potentially crime.

The retail sale of cannabis as well as cannabis possession, consumption, cultivation and production is legal in Canada and highly regulated.

In our respectful opinion, the above noted concerns regarding proximity are merely an indication of the stigma that is associated with cannabis and are not based on the reality of the highly regulated retail sale of cannabis in British Columbia.

Proximity to nearby childcare facilities and proximity to areas where youth and families frequent, including restaurants, recreational facilities, transit stops and parks

The District has decided that cannabis retail locations will be considered in zones that already allow liquor stores but with a 200 metre buffer around elementary or high schools. The Proposal meets this location and buffer requirement. Other childcare facilities or areas where youth and families frequent have not been included in the buffer zone.

In British Columbia, licensed daycares can include Group, Family, Out of school and Preschool licensed daycare programs. Between the different types of licensed daycare programs, it is unlikely that any retail location will exist without some proximity to a daycare. It is almost completely unlikely that a retail location would exist in an area where youth and families do not

frequent. The nature of the highly regulated cannabis retail market in British Columbia means that there is literally nothing for minors to be exposed to. It is therefore hard to see how the mere existence of a store without any further exposure to minors could be harmful. The main points are as follows:

- The laws of the Province of British Columbia (“**BC Law**”) require that any licensed cannabis store ensure that no cannabis or cannabis accessories can be seen from outside the store. (see Architectural Plans submitted with our Proposal and appearing at 1.11 of the Table of Contents);
- Minors may not enter into a cannabis retail store (even with an adult) and they cannot see the product from the street so will have zero exposure to cannabis or cannabis accessories as a result of the operation of the Business; and
- All that a minor (or anyone else in the area) will see is the façade of a specialty boutique style store (see “Description of Proposal” submitted with our Proposal and appearing at number 1.9 of the Table of Contents).

Potential for second hand smoke to affect the aforementioned groups and influence behaviour

Notwithstanding the legality of cannabis consumption in Canada, there are laws in place at each level of government that restrict or prohibit the smoking of tobacco and cannabis:

- BC Law restricts the smoking of cannabis within six metres of any public and work places which would include the Business, any nearby businesses and transit shelters;
- Smoking of cannabis is not permitted in or around a cannabis retail store by both BC Law and the Bylaws of the District;
- Staff of the Business will be trained and required by BC Law to control the store including the surrounding area;
- The District Bylaws require that signs be posted advising that there is no smoking within 6 metres;
- Owners and managers are required to take reasonable steps to prevent smoking within the six metre buffer zone;
- Cannabis cannot be consumed in playgrounds, regional or municipal parks, sports fields, skate parks, beaches, pools, schools *daycares, transit shelters or other areas frequented by children*;
- Cannabis use or sampling is strictly prohibited inside any retail store and BC Law requires that licensees and employees be responsible for the control over the behaviour of their

patrons (see “Cannabis Description of Proposal” submitted with our Proposal and appearing at number 1.16 of the Table of Contents)

Accordingly, it is respectfully submitted that the consumption of cannabis and any associated second-hand smoke would already be prohibited by law in or around the Business. In addition to any responsibilities imposed upon the Business, its owners and employees by law to enforce these rules, the Applicant has illustrated the policies and steps that have been implemented in order to keep the area around the Business smoke free (please also see “Odour Mitigation Strategy” submitted with our Proposal and appearing at number 1.17 of the Table of Contents).

Concerns with loitering, unsuitable behaviour, and potentially crime.

Further to our “Cannabis Description of Proposal” submitted with our Proposal and appearing at number 1.16 of the Table of Contents, the Business will implement various strategies to mitigate potential negative impacts on the area and adjacent properties as further described below:

- The Applicant’s application to the Province of British Columbia *meets or exceeds* all security requirements of the LCRB including the placement, storage and security of cannabis as well as the placement of interior and exterior cameras that continuously run and record;
- The Applicant has *exceeded* security requirements of the LCRB by putting security protocols in place including opening and closing procedures and supervision of the store and surrounding area;
- The Business will take reasonable measures to prevent disturbances including installing adequate lighting outside the store and in the parking lot, supervising parking areas and posting signs asking patrons not to disturb the neighbours;
- The Business will take steps to ensure safety of its customers and those in the Community, including monitoring loitering outside of its store;
- the Business, by virtue of operating a legal cannabis retail business in the Community, would allow the ability to monitor sales and ensure age restrictions are being observed; and
- Studies show that banning the retail sale of cannabis at the municipal level *does not increase crime but, but often decreases it*. The operation of licensed cannabis retailers deters crime because of the high regulation and security requirements but more importantly, it deters crime at large because cannabis can now be sold in a safe, regulated environment where the cultivation, production, distribution and sale is government

controlled and regulated. Crime is deterred when the cannabis industry is taken out of the hands of the black market.¹

Accordingly, the Applicant does not expect that the Proposal will negatively impact the area or adjacent properties as a result of loitering, unsuitable behavior or crime. In addition, the Applicant has taken the positive step of implementing policies that exceed the requirements of BC Law to prevent this.

Past Business Experience

The concerns that have been expressed in the community letters are surely similar to concerns raised in other areas of the country. Despite the new aspect to the regulation of cannabis retail, Jeff Thompson, the director and owner of the Applicant, has experience in the licensing and regulation of non-medical cannabis retail sales. Jeff's business "The Higher Path" was the first licensed non-medical cannabis store in Trail and the first licensed non-medical cannabis store in Castlegar. These retail outlets were the sixth and ninth provincial non-medical cannabis retail licenses to be awarded respectively (see "Description of Proposed Business Operations submitted with our Proposal and appearing at number 1.18 of the Table of Contents).

¹ Downs, David, Bruce Barcott and Dominic Corva, Special Report: *Debunking Dispensary Myths*, May 2019. Leafly. Accessed on January 29, 2020.
https://drive.google.com/file/d/1osj59y1stEz_vwsxV_O8_3s6rRC9wMLS/view,



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.