

**DISTRICT OF NORTH VANCOUVER
PUBLIC HEARING**

**Cannabis Retail Store at 1199 Marine Drive
Zoning Bylaw Amendment**

REPORT of the Public Hearing held on Tuesday, July 14, 2020 commencing at 8:22 p.m. The meeting was held virtually with participants appearing via video and telephone conference.

Present: Acting Mayor M. Curren, Chair
Councillor J. Back
Councillor M. Bond
Councillor B. Forbes
Councillor J. Hanson
Councillor L. Muri

Absent: Mayor M. Little

Staff: Mr. J. Gordon, Manager – Administrative Services
Mr. M. Hartford, Section Manager – Development Planning
Ms. S. Dale, Confidential Council Clerk
Ms. T. Jenks, Development Planner
Ms. C. Archer, Clerk Typist 3

1. OPENING BY THE MAYOR

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

She further noted that this Public Hearing is being convened pursuant to Section 464 of the *Local Government Act* and Ministerial Order M192.

This hearing will be held virtually with all participants, including Council, staff, applicant, signed up speakers and observers all doing so by electronic means.

Public participation in this hearing is being accommodated by speakers having signed up in advance, as stated in the Notice of Hearing, as well as being streamed live over the internet. In addition, those observing over the internet who did not sign up in advance to speak but decide to do so once the hearing is underway, may dial-in via telephone to speak. Information on how to do this will be shared over the live stream once we have exhausted the speakers list of first time speakers.

The electronic means being employed for this hearing allow for effective two-way audio communications while those who have signed up in advance will also receive video of the hearing via the WebEx Events software.

As always, written submissions will be received by the Municipal Clerk, on behalf of, and shared with, Council, at any time up to the time the hearing is closed. These may be submitted to input@dnv.org

Therefore, in this manner, all persons who believe that their interest in property is affected by the proposed bylaw will be afforded a reasonable opportunity to be heard and to present written submissions.

Acting Mayor Curren stated that:

- We will first go through the established speakers list. At the end of the speakers list, the Chair may call for any other speakers not on the speakers list – these are the dial-in speakers if any;
- You will have 5 minutes to address Council for a first time. Begin your remarks to Council by stating your name and approximate street address;
- After everyone who wishes to speak has spoken once, speakers will then be allowed one additional five minute opportunity;
- Any additional presentations will only be allowed at the discretion of the Chair;
- Please do not repeat information from your previous presentations and ensure your comments remain focused on the bylaw under consideration this evening;
- If you have provided a written submission there is no need to read it as it will have already been seen by Council. You may summarize or briefly reiterate the highlights of your submission but ensure your comments pertain to the bylaw under consideration at this hearing;
- Council is here to listen to the public, not to debate the merits of the bylaw. Council may ask clarifying questions;
- The Clerk has a binder containing documents and submissions related to the bylaw which Council has received and which you are welcome to review. This is available online at <https://app.dnv.org/councilsearchnew/>;
- Everyone at the hearing will be provided an opportunity to speak. If necessary, we will continue the hearing on a second night;
- At the conclusion of the public input Council may request further information from staff which may or may not require an extension of the hearing; or, Council may close the hearing after which Council should not receive further new information from the public; and,
- This hearing is being streamed live over the internet and recorded in accordance with the *Freedom of Information and Protection of Privacy Act*.

2. INTRODUCTION OF BYLAW BY CLERK

Mr. James Gordon, Manager – Administrative Services, introduced the proposed bylaw, stating that Bylaw 8427 proposes to amend the District's Zoning Bylaw to add Cannabis Retail Store as a permitted use for the property located at 1199 Marine Drive in the Lions Gate Village and Marine Drive Corridor.

3. PRESENTATION BY STAFF

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

- The proposed site is located at the southeast corner of Marine Drive and Pemberton Avenue with frontage on Marine Drive;
- The subject site contains a single-storey commercial building comprised of two units;
- The cannabis retail store is proposed in the western unit in an existing retail space, while a restaurant (Jade Garden) currently occupies the eastern unit;

- Surrounding properties include a mixed-use commercial/residential development to the east; a restaurant to the west beyond Pemberton avenue; commercial and childcare uses to the south; and a gas bar to the north, beyond Marine Drive;
- The site is zoned Marine Drive Commercial Zone (C9) which permits Cannabis Retail Store when that use is listed in the table found in Section 405B (1) of the Zoning Bylaw;
- Existing vehicle access is provided by two driveways from Marine Drive and Pemberton Avenue as well as a lane from West 16th Street, to a surface parking lot at the south and east side of the building;
- The front entrance to the proposed cannabis retail store is from the sidewalk at the corner of Marine Drive and Pemberton Avenue and the front entrance can also be accessed from the parking lot;
- If the text amendment is approved, new signage is proposed to be installed on the north, west and south elevations;
- The proposal has been reviewed relative to the District's Non-medical Retail Cannabis Policy and has been found to comply;
- The proposal meets key locational guidelines as the site is zoned to permit a liquor store and the site is more than 200m from any school;
- The Cannabis Policy also provides for review of applications in regards to other criteria such as parking, access, exterior design and operating hours;
- It is noted that since this application was submitted, the provincial requirement for exterior store design has changed, and an opaque storefront is no longer an explicit provincial requirement;
- Upon receipt of the application, five hundred and ninety-seven notices were distributed to neighbours within approximately a 100 m (328 ft.) radius, and two signs were placed on the property frontages in accordance with the District's Notification Policy;
- Input has been received in response to the notification made at the time the application was received, as well as in response to notification for tonight's hearing;
- Comments of concern include:
 - Proximity to nearby childcare facilities;
 - Perceived negative effects on neighbourhood safety;
 - And general concerns with cannabis use and legalization; and,
- There was general support for legalization and for the provincial and municipal regulations that have been put in place.

3. PRESENTATION BY APPLICANT

3.1. Mr. Jeff Thompson, Budhouse:

- Advised that Budhouse is currently operating five provincially licensed cannabis retail shops in BC;
- Provided an overview of the design of the proposed cannabis store;
- Noted that security measures have been taken;
- Noted that all products are purchased through the liquor and cannabis regulation branch and are Health Canada Certified;
- Opined that the proposed cannabis retail store is located in a suitable area and sufficient parking will be provided; and,

- Opined that the proposed application has a discreet sign frontage.

4. REPRESENTATIONS FROM THE PUBLIC

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

- Spoke to the addiction rate of various drugs;
- Commented that quality control and accurate ingredient labelling for cannabis products is still highly problematic;
- Opined that sufficient surface parking is provided;
- Recommended that this application be rejected; and,
- Encouraged Council to listen to the concerns of the local community.

4.2. Jasmine 1200 Block West 16th Street:

- Spoke in support of the proposed location.

4.3. Ms. Karen Fruitman, Langley:

- Spoke to the licencing process;
- Advised that the applicant has strict protocols in place and additional measures to control patrons;
- Spoke to the proximity to the daycare and noted that cannabis products cannot be seen from the outside of the store;
- Advised that employees are required to complete a workers security screening test; and,
- Noted that security measures have been taken.

4.4. Ms. Richelle Natt, 3200 Block Mt. Seymour Parkway:

- Spoke in support of the proposed cannabis retail store;
- Noted that cannabis products cannot be seen from the outside of the stores;
- Noted that children will not be allowed in cannabis stores;
- Commented that the front and rear entrances are not visible to the daycare; and,
- Noted that this is a highly regulated industry.

4.5. Mr. Laura Quiroz, 1100 Block West 16th Street:

- Expressed concern that the proposed cannabis store is in close proximity to two nearby daycare facilities.

In response to a question by Council, the applicant advised that they are currently operating five provincially licensed cannabis retail shops in BC including Armstrong, Trail, Castlegar, Oliver and Lumby.

In response to a question by Council, staff advised that since this application was submitted, the provincial requirement for exterior store design has changed, and an opaque storefront is no longer an explicit provincial requirement. Staff further advised that there is a requirement that cannabis products can not be seen from outside the store.

4.6. Cynthia, 1182 Block West 16th Street:

- Spoke in opposition to the proposed bylaw amendment;
- Expressed concern with the close proximity to the daycare facilities; and,
- Expressed concern with the smell of cannabis.

4.7. Mr. Luke Smeaton, 1182 Block 16th West Street:

- Expressed concern with traffic and parking issues.

4.8. Ms. Sarah Williams, 1200 Block West 16th Street:

- Spoke in support of the proposed application; and,
- Opined that the proposed cannabis store is in a convenient location.

4.9. Mr. Corrie Kost, SPEAKING FOR A SECOND TIME:

- Questioned if the security camera will be monitoring public property; and,
- Noted that McDonald's is directly across the street from the proposed cannabis store.

In response to a question from Council, the applicant advised that the security camera is at the entrance and back exit of the store and will only monitor who is going in and out of the store.

4.10. Ms. Richelle Natt, SPEAKING FOR A SECOND TIME:

- Spoke to the stigma of cannabis; and,
- Noted that cannabis is legal.

5. COUNCIL RESOLUTION

MOVED by Councillor BOND

SECONDED by Councillor HANSON

THAT the July 14, 2020 Public Hearing is closed;

AND THAT "District of North Vancouver Rezoning Bylaw 1397 (Bylaw 8427)" is returned to Council for further consideration.

CARRIED

Opposed: Councillor MURI
(9:15 pm)

CERTIFIED CORRECT:


Confidential Council Clerk