

**DISTRICT OF NORTH VANCOUVER
PUBLIC HEARING**

**Cannabis Retail Store at 1629 Marine Drive
Zoning Bylaw Amendment**

REPORT of the Public Hearing held on Tuesday, July 14, 2020 commencing at 7:07 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 8428 proposes to amend the District's Zoning Bylaw to add Cannabis Retail Store as a permitted use for the property located at 1629 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 site is located mid-block between Tatlow Avenue and Bowser Avenue on the south side of Marine Drive;
- The proposed cannabis retail store is to be located in an existing retail space within a single-storey commercial building on the property;

- The remainder of the block face is comprised of commercial retail spaces to the east and west and an existing auto dealership to the north across Marine Drive;
- Surrounding properties include a new multi-family development to the south;
- The site is zoned Marine Drive Commercial Zone (C9) which permits the Cannabis Retail Store use when listed for a particular property in Section 405B (1) of the Zoning Bylaw;
- The entrance to the proposed cannabis retail store can be accessed from the sidewalk along the south side of Marine Drive;
- The site has no existing on-site parking and is considered legally non-conforming for retail use;
- There is an existing easement along the south side of the property that allows for vehicle access to the rear of the property but this can be used only for deliveries, not for parking;
- If the text amendment is approved, new signage is proposed to be installed on the north elevation facing Marine Drive;
- The proposal has been reviewed relative to Council's Non-medical Retail Cannabis Policy and it generally complies;
- The proposal meets key locational guidelines as the site is zoned to permit a liquor store and the site is more than 200 metres from any school;
- The Cannabis policy also reviews applications with regard to other criteria including parking, access, exterior design and operating hours;
- The site is not compliant with the Cannabis Policy as sufficient parking is not provided on-site as the Zoning Bylaw would normally require three parking spaces for a retail outlet of this size;
- Upon receipt of the application, three hundred and twenty eight notices were sent to neighbours within approximately a 100m (328 ft.) radius and a sign was placed on the property 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 Norgate Park and field facility;
 - Potential to contribute to loitering and crime in the neighbourhood; and,
 - Parking and traffic safety concerns;
- Positive comments received include:
 - It will contribute positively to the local economy; and,
 - It will increase access to cannabis products for North Shore residents.

3. PRESENTATION BY APPLICANT

3.1. Mr. Chad Cole, Donnelly Hospitality Group:

- Provided history and context of the proposed Cannabis Store;
- Advised that products will be sold in a safe and secure environment;
- Opined that the proposed cannabis retail store is located in a suitable area;
- Commented that the applicant will have no challenges obtaining approval from the Province for the proposed Cannabis Retail store licence at 1629 Marine Drive given their current 5 approved licenses in BC;

- Advised that each location has site specific security protocols in place at a store level to ensure the safety of every guest and the surrounding community;
- Noted that every staff member has obtained their certification from the provincial government and continues to maintain and train with the ever changing regulations;
- Commented that minors are never permitted within the store even if accompanied by an adult;
- Commented that eco-friendly transportation is encouraged;
- Noted that there are numerous transit options available to the establishment; and,
- Noted that consideration will be given to possible noise impacts on neighbours and necessary steps will be taken to address these impacts should they occur.

4. REPRESENTATIONS FROM THE PUBLIC

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

- Commented that opaque storefront is no longer an explicit provincial requirement;
- Expressed concern that the majority of public input was not in support of the application;
- Urged that the staff report have the exact distance from the closest school; and,
- Suggested that sufficient accessible space be made available.

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.

The applicant advised that products will not be visible from the outside of the store.

4.2. Mr. Corrie Kost, SPEAKING A SECOND TIME:

- Expressed concern that not all residents have internet capability and can no longer participate in the local democratic process;
- Suggested that residents were not sufficiently notified of the changes made by the Province; and,
- Questioned what powers local governments have to close or modify the sales of their products if it is later determined that recreational use is considered harmful.

4.3. Ms. Kimberly Kulek, 800 Block Prospect Avenue:

- Spoke in support of the proposed application; and,
- Advised that she spoke to the hearing for 1629 Marine, but referenced that her comments were for 1199 Marine Drive.

4.4. Mr. Peter Teevan, 1900 Block Indian River Crescent:

- Commented that parking is an issue on Marine Drive; and,
- Noted that this application is not in a Town Centre.

5. COUNCIL RESOLUTION

MOVED by Councillor HANSON

SECONDED by Councillor BACK

THAT the July 14, 2020 Public Hearing is closed;

AND THAT "District of North Vancouver Rezoning Bylaw 1398 (Bylaw 8428)" is returned to Council for further consideration.

CARRIED

Opposed: Councillor MURI
(8:22 pm)

CERTIFIED CORRECT:



Confidential Council Clerk