

Request for Decision



To: Regular Meeting

From: **Development, Engineering & Planning**

Date: February 24, 2020

Subject: Development Variance Permit No. DVP2001 Non-Medical Cannabis Retail Store Licence at 7500 Donaldson Drive.

Recommendation: **THAT Council select one of the proposed resolution OPTIONS listed at the end of this report, subject to their consideration to approve or deny the reduction of setback distances as requested in the Development Variance Permit.**

Background

This Development Variance Permit application was reintroduced to council at the January 27, 2020 regular council meeting where council directed staff to move forward with the statutory requirements necessary for council to reconsider the application to vary the setback distance between a non-medical cannabis retail store and a community use zone.

As per the local government act, notices were mailed to property owners and tenants within 30m of the property boundary of 7500 Donaldson Drive. Any written responses received will be provided to council prior to council's deliberation on this item.

The applicant, 1179711 BC LTD, has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) Licence for 7500 Donaldson Drive.

Because the building to house the CRS is within 100m of the nearest parcel boundary of a lot in the Community Use (CU) zone, the owner has applied to the City of Grand Forks for a Development Variance Permit (DVP) to vary subsection 58.3 of Zoning Bylaw 2039.

The civic address of the property is 7500 Donaldson Drive. The legal description of the property is Lot 2, Plan KAP49207, SDYD, DL 380. The parcel identification number (PID) for the property is 018-155-588. The property is zoned I-1 (Light Industrial).

Council resolved to deny the DVP application at the July 15, 2019 regular council meeting. The application is coming before council for reconsideration.

The proposed hours of operation are 9:00 am to 11:00 pm daily.

The January 27th, 2019 staff report, complete with appendices, is attached as Appendix 1.

Ownership

Owner(s):

1179711 BC Ltd
1350 William Street
Vancouver, BC
V5L 2P5

Agent:

Jim Kennedy/Weeds Glass & Gifts Ltd.
1108 Richards Street,
Vancouver, BC
V6B 3E6

Timing

The following next steps and tentative time frames are outlined in Table 1 below:

Table 1. PROPOSED TIMEFRAME	
ACTIVITY	TIMING
Regular Council Meeting – Council Direct staff to proceed with statutory notice (letters to adjacent property owners)	January 27, 2020
Letters sent to adjacent property owners within 30m of subject property	January 31, 2020
Regular Council Meeting – Council Decision on DVP application	February 24, 2020
If Council grants the DVP staff will move forward with the statutory requirements for consideration of the location as a Non-Medical Cannabis Retail Store.	March 2020

Benefits or Impacts

General

The regime to legalize the non-medical use and sale of cannabis is relatively new to British Columbia and Canada. The proposed location is close to a community park facility. Interior Health Authority's position is that in order to reduce harmful cannabis patterns of consumption in the general population, council should consider supporting a public health approach to the retail sale of non-medical cannabis and that locations that reduce exposure to cannabis marketing to youth and discourage harmful patterns of consumption in the general population are the desired option.

Strategic Impact



Community Engagement

- Written notice was provided to adjacent property owners.

Policy/Legislation

Local Government Act; Official Community Plan; Zoning Bylaw; Cannabis Control Licencing Act.

Attachments

Appendix 1

Staff report and re-introduction package to the January 27, 2020 regular council meeting.

Recommendation

THAT Council select one of the proposed resolution OPTIONS listed at the end of this report, subject to their consideration to approve or deny the reduction of setback distances as requested in the Development Variance Permit.

Options

1. **THAT Council APPROVE the issuance of a Development Variance Permit to reduce the setback distance, from 100m to 36m, between the proposed location of a Non-Medical Cannabis Retail Store at 7500 Donaldson Drive, legally described as Lot 2, DL 380, Plan KAP49207, SDYD, and the parcel boundary of the Community Use zoned property at 1924-75th Avenue (James Donaldson Park).**
2. **THAT Council NOT APPROVE the issuance of a Development Variance Permit to reduce the setback distance from, 100m to 36m, between the proposed location of a Non-Medical Cannabis Retail Store at 7500 Donaldson Drive, legally described as Lot 2, DL 380, Plan KAP49207, SDYD, and the parcel boundary of the Community Use zoned property at 1924-75th Avenue (James Donaldson Park).**
3. **THAT Council refers the matter back to staff for further information.**

Report Approval Details

Document Title:	20200224 DVP2001 7500 Donaldson Cannabis Reintro 2nd RFD.docx
Attachments:	- 20200224 DVP2001 Appendix 1 7500 Donaldson Drive.pdf
Final Approval Date:	Feb 18, 2020

This report and all of its attachments were approved and signed as outlined below:

Dolores Sheets - Feb 14, 2020 - 10:04 AM

No Signature - Task assigned to Ron Mattiussi was completed by assistant Daniel Drexler

Ron Mattiussi - Feb 18, 2020 - 10:55 AM