

Request for Decision



To: Regular Meeting
From: **Development, Engineering & Planning**
Date: March 25, 2019
Subject: Non-Medical Cannabis Retail Licence Application
Recommendation: **THAT Council receives the report for a POSITIVE recommendation for the Non-Medical Cannabis Retail Store Licence application from Baggy's Cannabis Store at Unit 4, 7480 – 4th Street.**

THAT Council approves the Development Permit and directs staff to not issue the permit until all outstanding permit items are addressed in compliance with City regulations.

THAT Council approves the operating hours for the proposed Non-Medical Cannabis Retail Licence store to be operated by Baggy's Cannabis Store at Unit 4, 7480 – 4th Street.

Background

The applicant, BAGGY'S CANNABIS STORE, has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) Licence proposed to be located at Unit 4, 7480 4th Street. The PID's for the property are: 012-788-902, 012-788-996, 012-789-020, 012-789-046, 012-789-135, 012-789-178, 012-796-450, 012-788-872.

The proposed Non-Medical Cannabis Store is in the General Commercial Development Permit Area (CP). The applicant proposes modifications to the entrance of the store and new signage for the building.

Written public feedback was solicited through notices placed on the City's website and in the February 27th and March 6th, 2019 issues of the Grand Forks Gazette. Written and verbal public feedback was also gathered through a public feedback session held on March 11th, 2019.

Existing tenants/uses in the building include Kettle River Canoes, storage, and Kettle River Veterinary Services.

Ownership

Owner(s):

Kettle River Veterinary Services Ltd
PO Box 464
Aberdeen, SK
S0K 0A0

Agent:

Zoning and Policy Context

The property is approximately 0.53 of an acre in size. The property is zoned Core Commercial (CC) in Zoning Bylaw 2039. The Zoning Bylaw permits Non-Medical Cannabis Retail Stores in the CC zone.

The proposed development meets the Section 58 requirements of Zoning Bylaw 2039.

The property is in the General Commercial Development Permit Area (CP) in the Official Community Plan (OCP) as shown in appendix 2.

This development does not meet the following criteria for exemption from a commercial development permit:

1. Internal alterations, which do not affect the outer appearance of the building
2. Construction of an accessory building or addition to a commercial building that does not alter patterns or requirements of parking, access, loading or landscaping on the site, and
3. Replacement of an existing sign or canopy, where the size and design of the replacement sign or canopy are generally consistent with the site or canopy being replaced.

The development guidelines outline that if development occurs, Council would like to ensure that the visual character of these areas improves in a way that compliments the historic Downtown area.

An objective of this designation is to maintain and enhance the image of the Commercial Core areas, surrounding the Historic Downtown, by requiring a high standard of development. Development will meet a consistently high standard of visual qualities to assure that the character of the commercial core will continue to improve over time.

As part of the Core Commercial area of the City, it is subject to the DPA guidelines respecting buildings, structures, access, parking, screening, landscaping and amenities, lighting, and signage.

A sketch of the proposed renovation to the front of the building, complete with the proposed signage, is shown in Appendix 1.

Table 1 contains the list of guidelines applicable to this proposal and how the project responds to these guidelines.

Table 1 General Commercial Development Permit Area Guidelines for Development	
Development Permit Area Guideline	Project Response
1. Off-street parking and loading should be encouraged where possible and designed to promote safe and efficient vehicle entrances and exits, and on-site circulation.	There is an existing gravel parking lot that offers off street parking. The proposed changes to the entrance that triggers the development permit will provide for accessible access to the building and will improve the appearance of the building.
2. Off-street parking and loading should be encouraged where possible and designed to promote safe and efficient vehicle entrances and exits, and on-site circulation.	See staff report provided at the Public Feedback Session
3. Signage should complement the building design and finish.	See Appendix 1 attached.

Access, Parking and Site Layout:

1. The existing gravel parking lot fronts the length of the property on 4th Street.

Proposed Hours of Operation:

The proposed hours of operation are as follows:

Monday to Thursday	10:00 am to 7:00 pm
Friday	10:00 am to 9:00 pm
Saturday	9:00 am to 9:00 pm
Sunday	9:00 am to 7:00 pm

The zoning bylaw is silent on the permitted hours of operation for a non-medical cannabis store. The LCRB regulations state that a licensee may sell non-medical cannabis at their store between the hours of 9 am and 11 am unless their hours are further restricted by the local government and/or indigenous nation for the area in which the store is located giving council the ability to restrict the hours of operation.

Comments from Referral Agencies and Public Feedback Session

Written public feedback was solicited through notices placed on the City's website and in the February 27th and March 6th, 2019 issues of the Grand Forks Gazette (see Appendix 4). Written and verbal public feedback was also gathered through a public feedback session held on March 11th, 2019.

James McKenna spoke for the Non-Medical Cannabis retail store licence application at the public feedback session held on March 11th, 2019. Questions were asked by Les Johnson, GFTV on what the City would do regarding potential illegal operations in town and was advised that there are possibilities to deal with this once there are legal operations active within the community.

One (1) letter received speaks in favour of issuing a non-medical cannabis licence for this location. The letter is attached as Appendix 5. The letter speaks to safety, parking, ease of access and limiting exposure to cannabis marketing/modelling to youth by distancing the retail cannabis stores from places children and youth frequent.

Benefits or Impacts

General

Strategic Impact



Community Engagement

- Newspaper ads were placed in the February 27th and March 6th issues of the Grand Forks Gazette
- Notices were placed on the City of Grand Forks website
- A public feedback session was held on March 11th, 2019
- Written comments were accepted and will be forwarded to the LCRB



Economic Growth

- May provide additional jobs and growth opportunities for the existing business.

Policy/Legislation

Zoning Bylaw, Official Community Plan, Cannabis Control and Licensing Act

Attachments

Appendix 1

Page 1: Elevation view of the new entrance complete with signage

Appendix 2

Page 1: Aerial Photo

Appendix 3

Page 1: Newspaper Ads in Grand Forks Gazette

Appendix 4

Page 1: Site Plan for Non-Medical Cannabis Retail Store

Appendix 5

Page 1-2: Written Submissions Received

Recommendation

THAT Council receives the report for a POSITIVE recommendation for the Non-Medical Cannabis Retail Store Licence application from Baggy's Cannabis Store at Unit 4, 7480 – 4th Street.

THAT Council approves the Development Permit and directs staff to not issue the permit until all outstanding permit items are addressed in compliance with City regulations.

THAT Council approves the operating hours for the proposed Non-Medical Cannabis Retail Licence store to be operated by Baggy's Cannabis Store at Unit 4, 7480 – 4th Street.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

Document Title:	2019-03-25-BL-RBAG50-Baggys-Cannabis_RFD.docx
Attachments :	<ul style="list-style-type: none">- 2013-03-25-Appendix_1_7480_4th_St_CANNABIS_RETAIL_Baggys_Elevation.pdf- 2019-03-25-Appendix_2-7480_4th_St-Cannabis_Retail_Aerial Photo-Baggys.pdf- 2019-03-25-Appendix_3_7480_4th_St_Cannabis_Retail_Baggys_GazetteAds.pdf- 2019-03-25-Appendix_4-7480_4th_St-SitePlan.pdf- 2019-03-25-Appendix_5_Cannabis_Retail_7480_4th_St-Letter_Redacted.pdf
Final Approval Date:	Mar 15, 2019

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

Dolores Sheets - Mar 15, 2019 - 3:10 PM

Diane Heinrich - Mar 15, 2019 - 3:57 PM