

Request for Decision



To: Committee of the Whole

From: **Development, Engineering & Planning**

Date: June 10, 2019

Subject: Development Variance Permit No. DVP1901 Proposed Non-Medical Cannabis Retail Store Licence at 7500 Donaldson Drive.

Recommendation: **THAT the Committee of the Whole recommends to Council to direct staff to proceed with the statutory requirement for public notice respecting a Non-Medical Cannabis Retail Store Licence application proposed for 7500 Donaldson Drive, legally described as Lot 2, Plan KAP49207, SDYD, DL 380 PID 018-155-588**

Background

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

The owner has applied to the City for a Development Variance Permit to vary subsection 58.3 of Zoning Bylaw 2039 that regulates the distance a Non-Medical Retail Cannabis Store can be relative to a Community Use zone.

The building proposed for the Non-Medical Cannabis Store is located within 100m of the nearest parcel boundary of a lot in a Community Use (CU) Zone.

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

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

Zoning and Policy Context

The property is zoned I1 (Light Industrial 1) and is 0.576 acres in size. As shown in schedule A-1 of the zoning bylaw Non-Medical Cannabis Retail is a permitted use in the I1 zone. The property is not in a Development Permit Area.

The subject property was the previous location of the Greyhound Bus Depot and currently houses the warming shelter.

The building proposed to house the Non-Medical Cannabis Retail Store is 36m from the property boundary of 1924-75th Avenue (James Donaldson Park).

Events held at James Donaldson Park include:

1. Ball tournaments and games for all ages
2. Grand Forks International Baseball Tournament
3. Cannafest Music Festival.

Proposed Hours of Operation:

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

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 pm unless their hours are further restricted by the local government for the area in which the store is located giving Council the ability to restrict the hours of operation.

Comments from Referral Agencies

The project is being reviewed by affected referral agencies and a staff report will be presented to the Council.

Timing

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

Table 1 Timeframe	
ACTIVITY	TIMING
<i>Committee of the Whole – Public Introduction of Application</i>	<i>June 10, 2019</i>
<i>Regular Council Meeting – Council Direct staff to proceed with statutory notice (letters to adjacent property owners and notice in 2 issues of the local paper)</i>	<i>June 10, 2019</i>
Letters sent to adjacent property owners	June 11, 2019
Notice published in two consecutive issues of the newspaper	June 12 & June 19, 2019
Deadline for receiving written feedback	June 24, 2019

Regular Council Meeting <ul style="list-style-type: none"> - Staff report on written feedback received - Council decision on DVP Application - Council decision and direction to staff to send a letter of RECOMMENDATION or REJECTION of the Non-Medical Cannabis Retail Store Licence application to the LCRB 	June 24, 2019
--	---------------

Benefits or Impacts

General

The regime to legalize the non-medical use and sale of cannabis is a relatively new to British Columbia. The proposed location is close to a community park facility.

Strategic Impact



Community Engagement

- Written notice will be provided to adjacent property owners.
- Ads will be placed in 2 editions of the local newspaper.
- A public Feedback session will be held.
- Written comments will be accepted and will be forwarded to the LCRB.

Policy/Legislation

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

Attachments

Appendix 1

- Page 1: Aerial Photo showing the subject property
- Page 2: Map showing zoning
- Page 3: Aerial Photo showing 100m buffer area

Appendix 2

- Pages 1-59: DVP package submitted by applicant.

Recommendation

THAT the Committee of the Whole recommends to Council to direct staff to proceed with the statutory requirement for public notice respecting a Non-Medical Cannabis Retail Store Licence application proposed for 7500 Donaldson Drive, legally described as Lot 2, Plan KAP49207, SDYD, DL 380

PID 018-155-588

Options

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