

# Request for Decision



To: Regular Meeting  
From: **Corporate Services**  
Date: November 25, 2019  
Subject: Reconsideration of R246/19/07/15  
Recommendation: **THAT Council bring Resolution R246/19/07/15, the Development Variance Permit application for 7500 Donaldson Drive, back for consideration.**

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## Background

On July 15, 2019, Council passed Resolution R246/19/07/15 to deny a Development Variance Permit which would have reduced the required setback distance for a Retail Cannabis establishment from a Community Use Zone from 100m to 36m.

At the request of the Mayor, Staff has brought this Request for Decision to Council to reconsider the application. Per the Council Procedure Bylaw, reconsideration requires the unanimous consent of Council.

The relevant Minutes from the July 15, 2019 meeting, as adopted, read:

d. Weeds Glass & Gifts Non-Medical Cannabis Retail Licence Application  
*Development, Engineering & Planning*

Discussion around the proposed variance included:

- Existing definition of Community Use zone,
- The setback distance as currently defined,
- Desire to apply zoning bylaws as currently enacted,
- The debate which led to the 100m setback when the original zoning overlay was passed,
- Concern that the 100m setback is overly restrictive.

**Resolution #: R246/19/07/15 MOVED/SECONDED**

**THAT Council DENY the Development Variance Permit Application to reduce, from 100m to 36m, the setback distance from a building or structure to a Community Use Zone.**

Opposed (3): Taylor, Krog, and Moslin

**Carried**

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Should Council determine to reconsider the application, the options would be to:

- Approve the original Development Variance Permit;
- Re-affirm their denial of the Development Variance Permit;
- Refer the Development Variance Permit back to staff to initiate the process.

If the application is brought back for reconsideration, Staff recommend referral of the DVP back through the public process.

## Benefits or Impacts

### Strategic Impact



#### Community Engagement

- Public feedback on a Development Variance Permit is required by legislation and permits residents to voice their support or opposition to a development.

### Policy/Legislation

City of Grand Forks Council Procedure Bylaw No. 1946, 2013, section 15.1.

## Attachments

Original RFD regarding the Development Variance Permit application, July 15, 2019.

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## Recommendation

**THAT Council bring Resolution R246/19/07/15, the Development Variance Permit application for 7500 Donaldson Drive, back for consideration.**

## Options

1. THAT Council reconsider the original Development Variance Permit application.
2. THAT Council not reconsider the original Development Variance Permit application.