



AGENDA
FOR THE SPECIAL COUNCIL MEETING (PUBLIC HEARING)

Thursday, June 13, 2019, 7:00 P.M.

SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS AT 9:00 P.M.

Pages

1. CALL THE SPECIAL MEETING OF COUNCIL TO ORDER:

2. INTRODUCTION OF LATE ITEMS:

3. ADOPTION OF AGENDA:

4. CALL THE PUBLIC HEARING TO ORDER:

5. PUBLIC HEARING AGENDA

Lainya Rowett, Manager, Current Planning, to explain the required procedures in conducting a Public Hearing and the regulations contained within Part 14 of the *Local Government Act*.

a. Rezoning Application No. RA400 - 1300 Junction Avenue

5 - 14

To be introduced by David Stewart, Planner.

Presentation:

1. Frank Limshue, West Urban Developments, applicant.

Call for submissions from the Public.

b. Rezoning Application No. RA409 - 751 Haliburton Street

15 - 24

To be introduced by David Stewart, Planner.

Presentation:

1. Doug Pauzé, Coastland Wood Industries, applicant.

Call for submissions from the Public.

- c. Rezoning Application No. RA407 - 6683 Mary Ellen Drive 25 - 41
To be introduced by David Stewart, Planner.
Presentation:
1. Kevin Satterfield, BC Liquor Distribution Branch, applicant.
Call for submissions from the Public.
- d. Rezoning Application No. RA408 - 3200 Island Highway North 42 - 57
To be introduced by David Stewart, Planner.
Presentation:
1. Kevin Satterfield, BC Liquor Distribution Branch, applicant.
Call for submissions from the Public.
- e. Rezoning Application No. RA418 - 52 Victoria Crescent 58 - 74
To be introduced by David Stewart, Planner.
Presentation:
1. James Maxwell, Salvation Botanicals, applicant.
Call for submission from the Public.
- f. Rezoning Application No. RA420 - 140 Terminal Avenue 75 - 92
To be introduced by David Stewart, Planner.
Presentation:
1. Jeff Horricks or Chris Beadle, Eden, applicant.
Call for submissions from the Public.

6. FINAL CALL FOR SUBMISSIONS:

Following the close of a Public Hearing, no further submissions or comments from the public or interested persons can be accepted by members of City Council, as established by provincial case law. This is to ensure a fair Public Hearing process and provide a reasonable opportunity for people to respond.

7. ADJOURNMENT OF THE PUBLIC HEARING

8. BYLAWS:	93
a. <u>"Zoning Amendment Bylaw 2019 No. 4500.147"</u>	94 - 95
That "Zoning Amendment Bylaw 2019 No. 4500.147" (RA400 - To rezone 1300 Junction Avenue from Single Dwelling Residential [R1] to Mixed Use Corridor [COR 2]) pass third reading.	
b. <u>"Zoning Amendment Bylaw 2019 No. 4500.148"</u>	96 - 97
That "Zoning Amendment Bylaw 2019 No. 4500.148" (RA409 - To rezone 751 Haliburton Street to allow "office" as a site-specific use in the Local Service Centre [CC1] zone) pass third reading.	
c. <u>"Zoning Amendment Bylaw 2019 No. 4500.142"</u>	98 - 99
That "Zoning Amendment Bylaw 2019 No. 4500.142" (RA407 - To rezone 6683 Mary Ellen Drive to allow "Cannabis Retail Store" as a site-specific use in the Woodgrove Urban Centre [CC4] Zone) pass third reading.	
d. <u>"Zoning Amendment Bylaw 2019 No. 4500.143"</u>	100 - 101
That "Zoning Amendment Bylaw 2019 No. 4500.143" (RA408 - To rezone 3200 Island Highway North to allow "Cannabis Retail Store" as a site-specific use in the City Commercial Centre [CC3] Zone) pass third reading.	
e. <u>"Zoning Amendment Bylaw 2019 No. 4500.144"</u>	102 - 103
That "Zoning Amendment Bylaw 2019 No. 4500.144" (RA418 - To rezone 52 Victoria Crescent to allow "Cannabis Retail Store" as a site-specific use in the Terminal Avenue [DT4] zone) pass third reading.	
f. <u>"Zoning Amendment Bylaw 2019 No. 4500.145"</u>	104 - 105
That "Zoning Amendment Bylaw 2019 No. 4500.145" (RA420 - To rezone 140 Terminal Avenue to allow "Cannabis Retail Store" as a site-specific use in the Terminal Avenue [DT4] zone) pass third reading.	

9. REPORTS:

a. Unauthorized Suites

106 - 107

To be introduced by Karen Fry, Fire Chief.

Purpose: To obtain Council authorization to enforce the provisions of the Community Charter related to unauthorized suites.

It is requested that Council hear anyone wishing to speak with respect to the unauthorized suites.

Recommendation: That Council, pursuant to Sections 72 and 73 of the *Community Charter*, order the owners of 5829 Tweedsmuir Crescent; 806 Glengarry Crescent; 2850 Cosgrove Crescent; and 405 Nicol Street to remove the unauthorized suites and illegal construction to bring the properties into compliance within 30 days.

10. ADJOURNMENT:

DATE OF MEETING May 27, 2019

AUTHORED BY MADELEINE KOCH, PLANNER, CURRENT PLANNING

SUBJECT REZONING APPLICATION NO. RA400 – 1300 JUNCTION AVENUE

OVERVIEW

Purpose of Report

To present Council with an application to rezone the subject property at 1300 Junction Avenue from Single Dwelling Residential (R1) to Mixed Use Corridor (COR 2) to allow a 213-unit multi-family development.

Recommendation

That:

1. "Zoning Amendment Bylaw 2019 No. 4500.147" (To rezone 1300 Junction Avenue from Single Dwelling Residential [R1] to Mixed Use Corridor [COR 2]) pass first reading;
2. "Zoning Amendment Bylaw 2019 No. 4500.147" pass second reading; and
3. Council direct Staff to secure the community contribution, road dedication, and a statutory right-of-way to accommodate the future Wexford Creek restoration project.

BACKGROUND

A rezoning application (RA400) for 1300 Junction Avenue was received from West Urban Developments Ltd., on behalf of the property owners, Shawn K. Niven and Patricia D. Little, to rezone the subject property from Single Dwelling Residential (R1) to Mixed Use Corridor (COR 2). The purpose of the rezoning is to allow three four-storey apartment buildings on the property, each containing approximately 71 units, for a total of 213 units on the site.

Subject Property

<i>Location</i>	The subject property is located on the southwest corner of the intersection of Tenth Street and Lawlor Road in Chase River.
<i>Total lot area</i>	1.77ha
<i>Current zone</i>	R1 - Single Dwelling Residential
<i>Proposed zone</i>	COR 2 - Mixed Use Corridor
<i>Proposed density</i>	120 units per hectare
<i>Official Community Plan(OCP) Designation</i>	Commercial Centre and Corridor
<i>Chase River Neighbourhood Plan Designation (CRNP)</i>	Medium-High Density Residential and Main Street (Commercial/ Residential)

The subject property is mostly comprised of a vacant field and appears to have been historically used for agriculture. Wexford Creek, a fish-bearing stream, intersects the eastern portion of the subject property. A portion of the creek runs above ground and a portion has been directed underground through a culvert.

The subject property is surrounded by road frontage on Junction Avenue, Tenth Street, Lawlor Road, and Eleventh Street. Surrounding uses include the Chartwell Malaspina Care facility located to the south across Eleventh Street, the South Parkway Plaza commercial centre to the east, single residential dwellings to the west, and multi-family-zoned lands to the north.

DISCUSSION

Proposed Development

The applicant is proposing to rezone the subject property to allow three 71-unit apartment buildings, to be constructed on the site, for a total of 213 units. The proposed buildings are four storeys, and anticipated to include a mix of one-, two-, and three-bedroom apartment units, which the applicant states will be rental units. The conceptual plans shows each of the proposed buildings containing underground building parking, in addition to surface parking. A form and character review will be completed through a separate development permit application if rezoning is approved.

Policy and Regulatory Context

Official Community Plan (OCP)

The subject property contains multiple land-use designations, both in the OCP and the Chase River Neighbourhood Plan. The OCP designates a portion of the east side of the property as Commercial Centre, and the remainder as Corridor. Each of these designations supports stand-alone multi-family residential use. Residential densities of 50 to 150 units per hectare in two- to six-storey buildings are supported in these designations, which is consistent with the proposed density of 120 units per hectare and the proposed four storey buildings.

Chase River Neighbourhood Plan

The Chase River Neighbourhood Plan designates the eastern portion of the site as Main Street Commercial/ Residential and the remainder as Medium-High Density Residential. To address the land-use designations, and to respect the area needed for future restoration and daylighting of Wexford Creek, the proposed multi-family residential use is completely contained within the Medium-High Density Residential designation. It is noted the proposed development is in close proximity to an existing commercial centre providing convenient access for future residents to a grocery store, restaurants, pharmacy, and other services.

Transportation Master Plan

The subject property is not located within a Mobility Hub, as designated by the Nanaimo Transportation Master Plan (NTMP). However, the property has frontage on Tenth Street, which is designated as a major road and is intended to serve as a truck route with included

shared-use lanes as part of the Harewood Bikeway network. An existing transit stop is located along the subject property's Lawlor Road frontage.

The Cranberry Connector is a future road network improvement that is anticipated to connect to either Lawlor Road or Junction Avenue. The development proposes to provide enough road dedication to accommodate either future alignment of the Cranberry Connector.

Staff support the proposed rezoning, as it meets the intent of the OCP and the Chase River Neighbourhood plan by encouraging development near an existing commercial centre. The proposal also supports the Nanaimo Affordable Housing Strategy by increasing the supply of rental housing and diversity of unit types in this part of the city.

Community Input

The application was referred to the Chase River Neighbourhood Association, who requested a meeting with the applicant. The applicant met with the association on 2018-DEC-12. The association expressed concerns over parking and traffic, and support for improvements to public transportation and affordable rental housing in the Chase River community.

It should be noted the applicant provided a traffic study as part of the application, which concluded that the proposed development would not negatively impact the existing traffic network.

Conditions of Rezoning

Staff recommend the following conditions be secured prior to final adoption of "Zoning Amendment Bylaw 2019 No. 4500.147":

1. Statutory Right of Way for Future Wexford Creek Restoration

The City has a number of Development Cost Charges (DCC) projects in this area, including projects to realign and restore Wexford Creek in 2021. To allow these projects to be completed as scheduled, the conceptual site plan provides ample room for the City to design and build out an appropriate creek alignment on the east section of the property. As a condition of rezoning, approval of a statutory right-of-way will be required in favour of the City to secure the area needed to design the creek realignment.

2. Road Dedication

The required road dedication includes: 10m along Eleventh Street, 2.5m along Tenth Street, and 2.5m along Junction Avenue in order to achieve the desired road cross-sections and possible routes for the Cranberry Connector.

3. Community Contribution

As outlined in Section 7.3 of the OCP, in exchange for value conferred on land through a rezoning, the applicant should provide a community contribution. The applicant proposes a community amenity contribution valued at \$213,000 (calculated based on \$1,000 per residential unit) to be directed towards a new transit shelter (\$40,000) near the subject

property, and future parks and pedestrian improvements in the Chase River area (\$173,000).

SUMMARY POINTS

- The application is to rezone the subject property from Single Dwelling Residential (R1) to Mixed Use Corridor (COR 2) to allow the construction of three four-storey rental apartment buildings;
- Wexford Creek runs through the eastern portion of the subject property, and a DCC project to realign and restore the creek is planned for 2021;
- The community amenity contribution is to be directed towards a new bus shelter and future local park and pedestrian improvements in the Chase River community.
- Staff support the proposed rezoning, which meets the intent of the OCP and Neighbourhood Plan

ATTACHMENTS

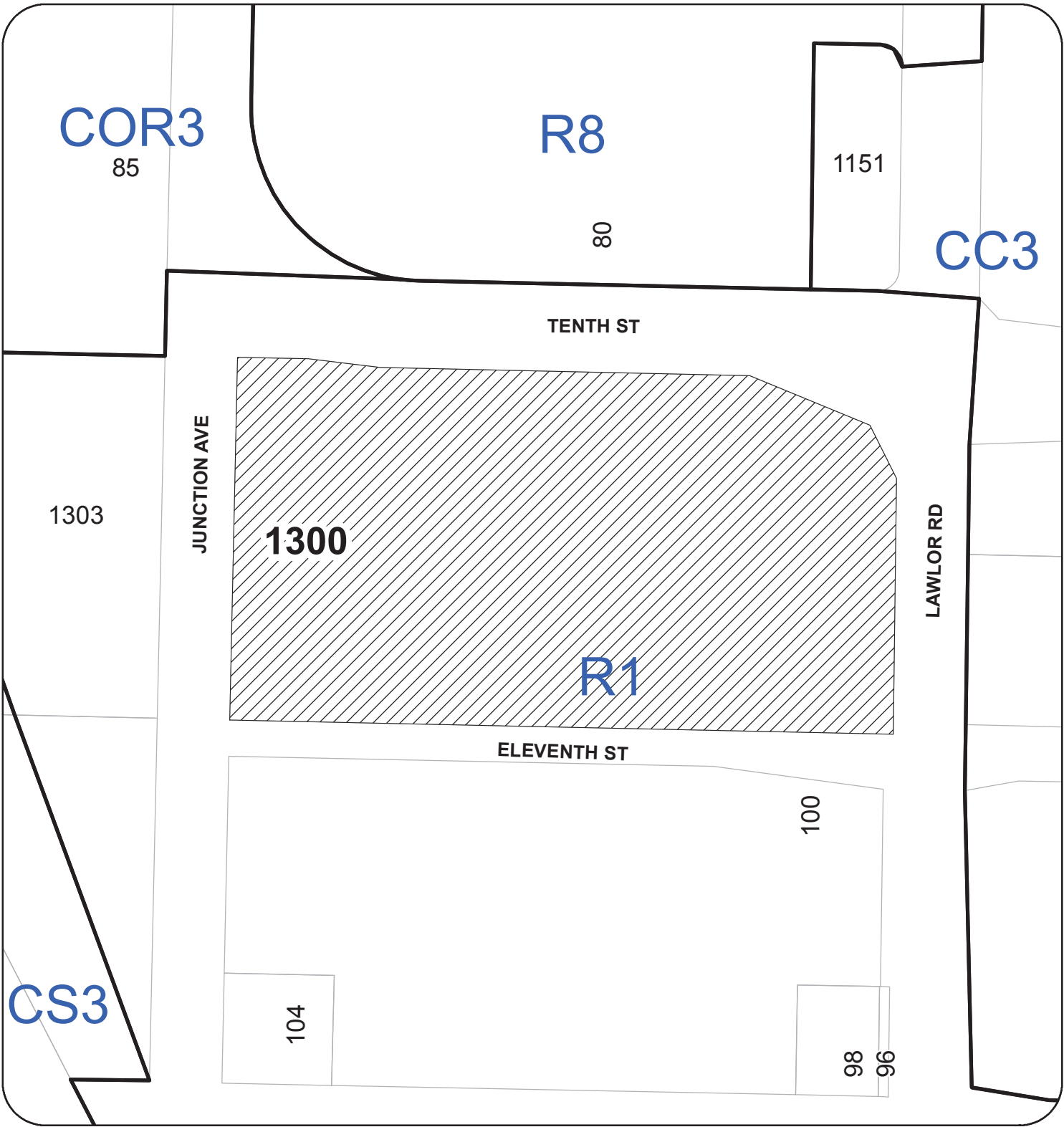
ATTACHMENT A: Location Plan
ATTACHMENT B: Conceptual Site Plan
ATTACHMENT C: Conceptual Building Elevations
ATTACHMENT D: Aerial Photo
“Zoning Amendment Bylaw 2019 No. 4500.147”

Submitted by:

L. Rowett
Manager, Current Planning

Concurrence by:

D. Lindsay
Director, Community Development



REZONING APPLICATION NO. RA000400
LOCATION PLAN

Civic: 1300 JUNCTION AVENUE



Subject Property

ATTACHMENT C
CONCEPTUAL BUILDING ELEVATION

CONSTRUCTION TO VERIFY ALL DATA, LIMITS, SURVIVALS, DIMENSIONS, LOCATION OF BUILDING, AND THE LOCATION OF THE BUILDING TO THE SURROUNDING AREA. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, THE B.C. LAND USE ACT, AND ALL APPLICABLE BYLAWS.

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DOUBLE GABLE FOUR STOREYS



COLOUR VARIATION



WINDOW COMPOSITION

THUJA architecture + design
Tara Shulte Architect AIBC
1300 Junction Multi-Family
1-800-460-7901, Enquiries@thujaarchitecture.ca



TYPICAL ELEVATION

PROJECT
1300 JUNCTION MULTI-FAMILY

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RA400
2019-MAY-14
CITY OF VANCOUVER

ATTACHMENT D
AERIAL PHOTO



REZONING APPLICATION NO. RA000400

CITY OF NANAIMO

BYLAW NO. 4500.147

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.147".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as SECTION 27, RANGE 17 OF SECTION 7, NANAIMO DISTRICT, PLAN 1332 EXCEPT PART IN PLAN 3212 RW and VIP84370 (1300 Junction Avenue) from Single Dwelling Residential (R1) to Mixed Use Corridor (COR2), as shown on Schedule A.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

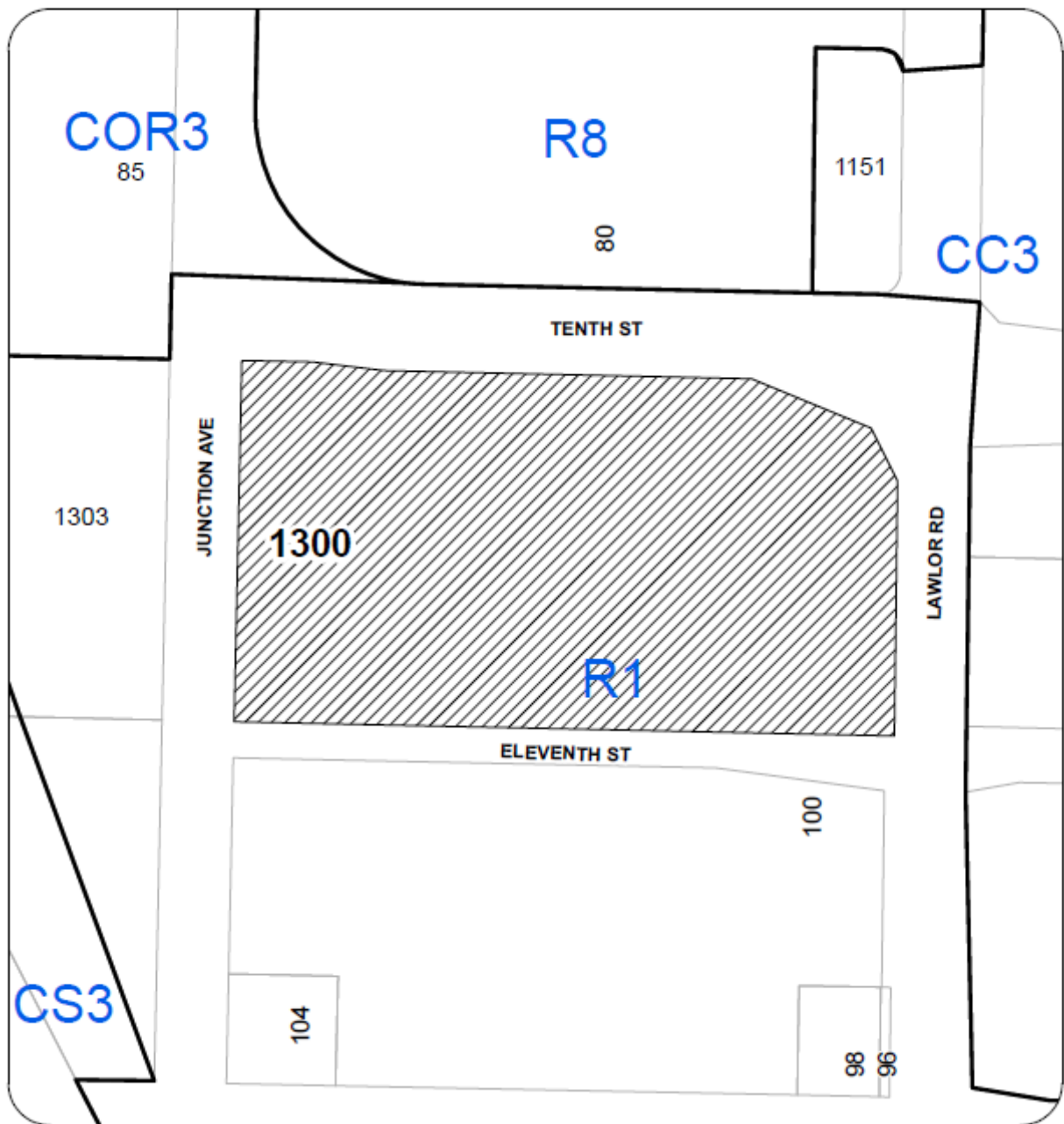
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000400
Address: 1300 Junction Avenue

LOCATION PLAN



REZONING APPLICATION NO. RA000400

LOCATION PLAN

Civic: 1300 JUNCTION AVENUE



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DATE OF MEETING | May 27, 2019 |

AUTHORED BY | MADELEINE KOCH, PLANNER, CURRENT PLANNING |

SUBJECT | **REZONING APPLICATION NO. RA409 – 751 HALIBURTON STREET** |

OVERVIEW

Purpose of Report

To present Council with an application to amend the existing zoning of the property located at 751 Haliburton Street to allow “office” as a site-specific use in the Local Service Centre (CC1) zone. |

Recommendation

That:

1. “Zoning Amendment Bylaw 2019 No. 4500.148” (To rezone 751 Haliburton Street to allow “office” as a site-specific use in the Local Service Centre [CC1] zone) pass first reading;
2. “Zoning Amendment Bylaw 2019 No. 4500.148” pass second reading; and
3. Council direct Staff to secure the amenity contribution and road dedication by way of a covenant, should Council support the bylaw at third reading.

BACKGROUND

Rezoning application RA409 was received for 751 Haliburton Street from Doug Pauzé of Coastland Wood Industries Ltd. The applicant is proposing to amend the existing CC1 zone to allow “office” as a site-specific use within the subject property.

Subject Property

<i>Location</i>	The subject property is located at the northeast corner of the Haliburton Street / Woodhouse Street intersection.
<i>Total Area</i>	1,055m ²
<i>Current Zoning</i>	Local Service Centre (CC1)
<i>Proposed Zoning</i>	Local Service Centre (CC1) with “office” permitted as a site-specific use

The subject property is on the north side of Woodhouse Street and contains an existing industrial building that was formerly used as a non-conforming storage yard for the Coastland Wood Industries mill. The property is within a neighbourhood that is predominantly comprised of single residential dwellings, including Snuneymuxw First Nation’s Reserve land to the east. The Days Inn is located to the southeast of the subject property, and the Coastland Wood Industries mill site is located to the south across Woodhouse Street.

DISCUSSION

Proposed Development

The applicant proposes to rezone the property to allow “office” as a site-specific use in the Local Service Centre (CC1) zone. Currently, Coastland Wood Industries office space is located on Robarts Street, but their lease will expire at the end of 2019. They are seeking permanent office space to accommodate ten employees in closer proximity to the mill site, which has operated at 791 Haliburton Street since 1988. The proposed redevelopment would create accessory offsite office space adjacent to the mill to increase operational efficiency. In addition to accommodating Coastland staff, the applicant has advised that office space on the bottom floor of the building will be leased to Snuneymuxw First Nation’s Petroglyph Development Group.

The applicant proposes to retain the existing building, which has a floor area of 670m². Internal renovations, landscaping, and a façade redesign are planned to update and enhance the building and site design. The change in use will require additional parking, which the applicant proposes to maximize onsite and within the adjacent mill property at 791 Haliburton Street.

Official Community Plan and South End Neighbourhood Plan

The subject property is located within the Neighbourhood designation of both the Official Community Plan (OCP) and the South End Neighbourhood Plan. The OCP supports small-scale commercial and community services within the Neighbourhood designation for lots on collector roads where services are within walkable distance to neighbouring residents. The South End Neighbourhood Plan supports small-scale commercial or mixed-use development at street corners along Haliburton Street on land designated Neighbourhood. While the OCP and neighbourhood plan policies do not specifically reference stand-alone office use in the Neighbourhood land-use designation, Staff acknowledge the unique situation of providing office space in an existing commercial building that will function largely accessory to the existing non-conforming warehouse/industrial use for the mill operation.

Community Consultation

The application was referred to the South End Community Association for comment. The association provided comments in support of the application and requested that the applicant consider improving the existing perimeter fencing of the subject property, which the applicant has confirmed will be addressed.

Zoning

The existing CC1 zone allows a number of small-scale community service-oriented uses within neighbourhoods, including “medical/dental office”. The zone does not permit “office” as a stand-alone use, so rezoning is required. The proposed office use would be permitted in addition to the existing permitted uses of the CC1 zone, which could allow future commercial uses of the site. Given the proximity to the existing mill operation and the small scale of the proposed office use, Staff recommend supporting the proposed site-specific amendment in this location because it is more in line with the vision for this neighbourhood, which is evolving from heavy industrial uses.

Community Contribution

As outlined in Section 7.3 of the OCP, in exchange for value conferred on land through a rezoning, the applicant should provide a community contribution.

The applicant proposes to provide approximately 58m² of community meeting space, and is willing to enter into a covenant on 751 Haliburton Street securing the shared meeting space to be used by community groups, such as the South End Neighbourhood Association, free of charge outside business hours for a period of five years.

Conditions of Rezoning

Should Council support this application and pass third reading of “Zoning Amendment Bylaw 2019 No. 4500.148”, Staff recommend the following items be secured by a Section 219 Covenant prior to final adoption of the bylaw:

1. 1m of road dedication along the property frontage of Haliburton Street; and
2. Community meeting space for a period of five years.

SUMMARY POINTS

- The application is to allow “office” as a site-specific use within the Local Service Centre (CC1) zone;
- The proposed office is adjacent to the Coastland Wood Industries mill site;
- The proposed office will accommodate employees of Coastland Wood Industries and Snuneymuxw First Nation’s Petroglyph Development Group;
- While the Official Community Plan and South End Neighbourhood Plan do not specifically reference office use within the neighbourhood designation, the use is considered supportable on a site-specific basis;
- The South End Community Association supports the proposed rezoning; and
- The community amenity contribution proposal includes community meeting space.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: Site / Parking Plans
ATTACHMENT C: Building Elevations
ATTACHMENT D: Aerial Photo
“Zoning Amendment Bylaw 2019 No. 4500.148”

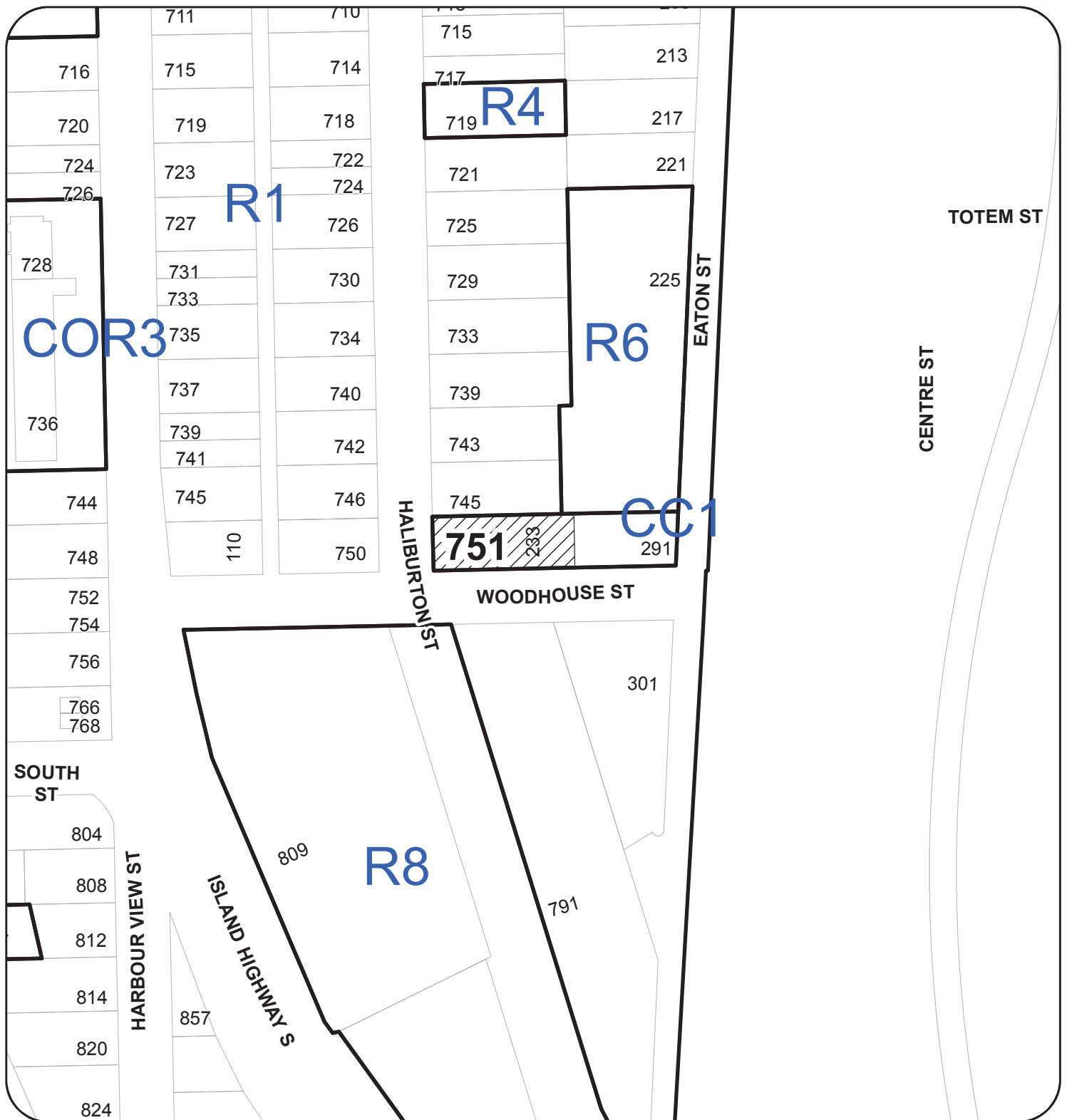
Submitted by:

L. Rowett
Manager, Current Planning

Concurrence by:

D. Lindsay
Director, Community Development

ATTACHMENT A LOCATION PLAN



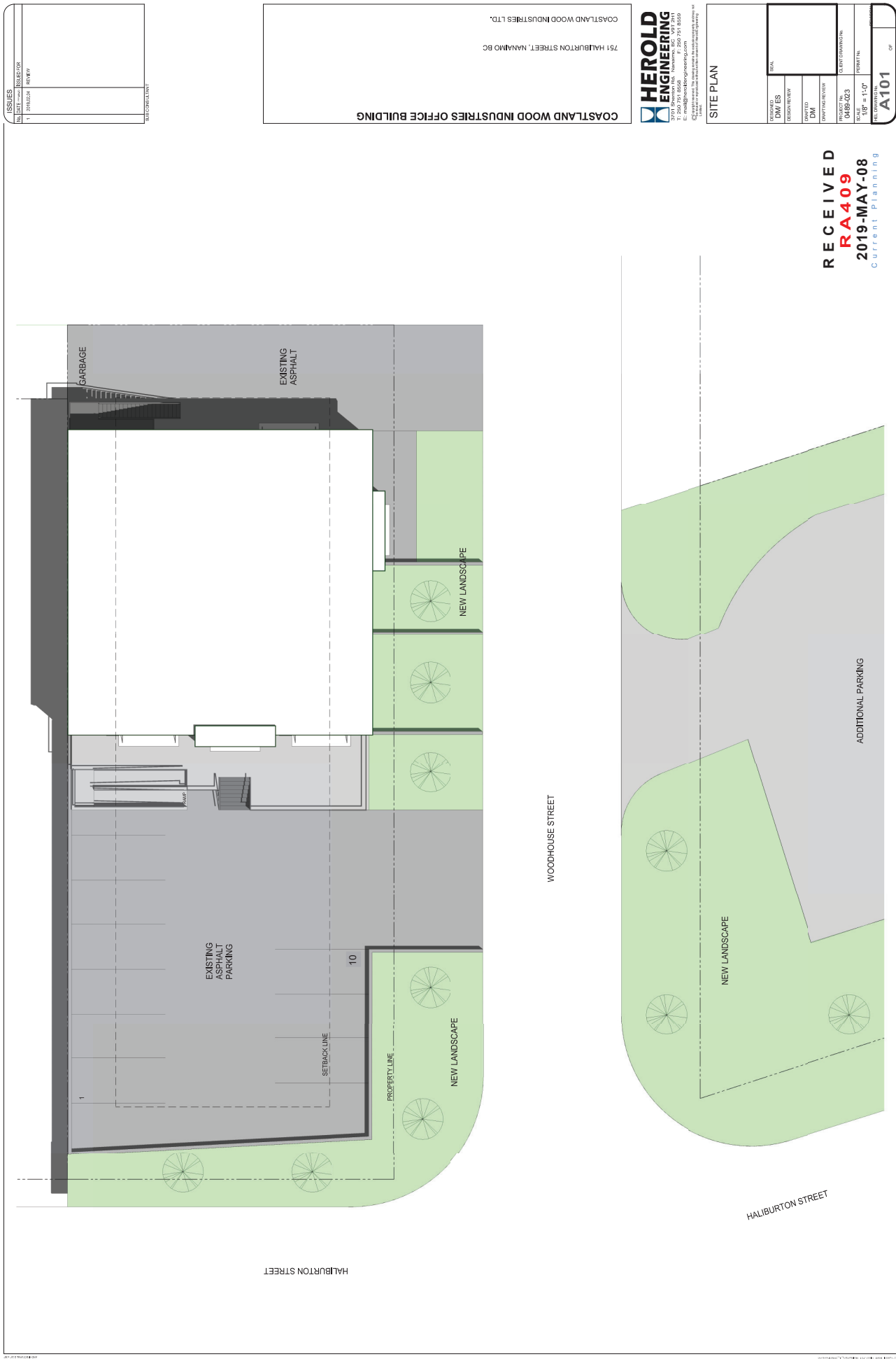
REZONING APPLICATION NO. RA000409 LOCATION PLAN



Subject Property

Civic: 751 HALIBURTON STREET
Legal: LOT 1, BLOCK EA, SECTION 1
NANAIMO DISTRICT, PLAN 57

ATTACHMENT B
SITE / PARKING PLANS



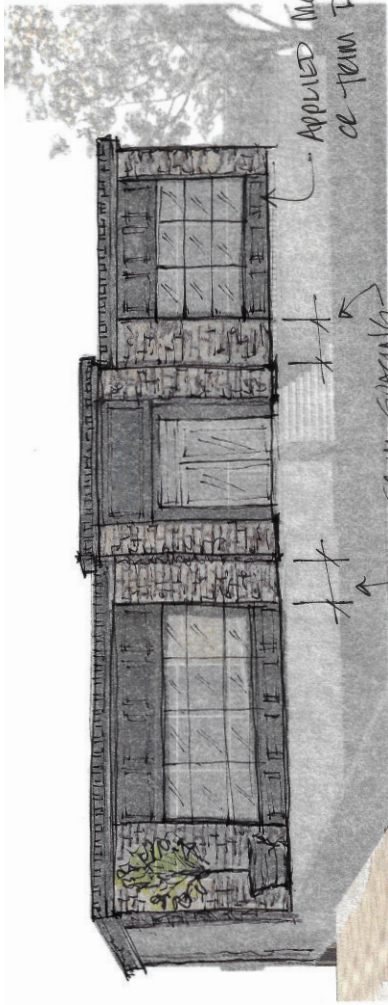
ADDITIONAL PARKING

Priscilla Brewer
Envi Landscapes
250.618.6565

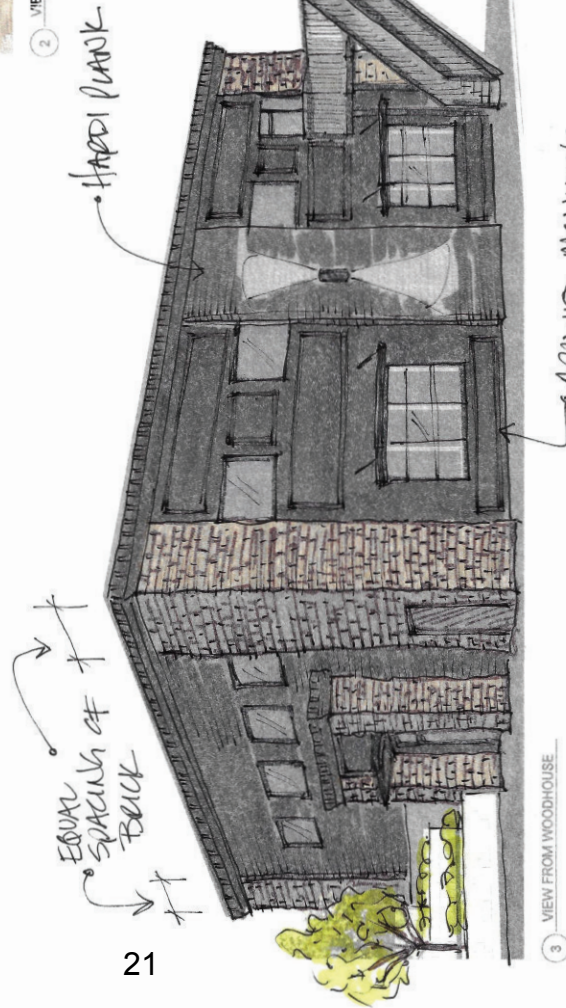


RECEIVED
RA409
2019-MAY-08
Current Planning

ATTACHMENT C BUILDING ELEVATIONS

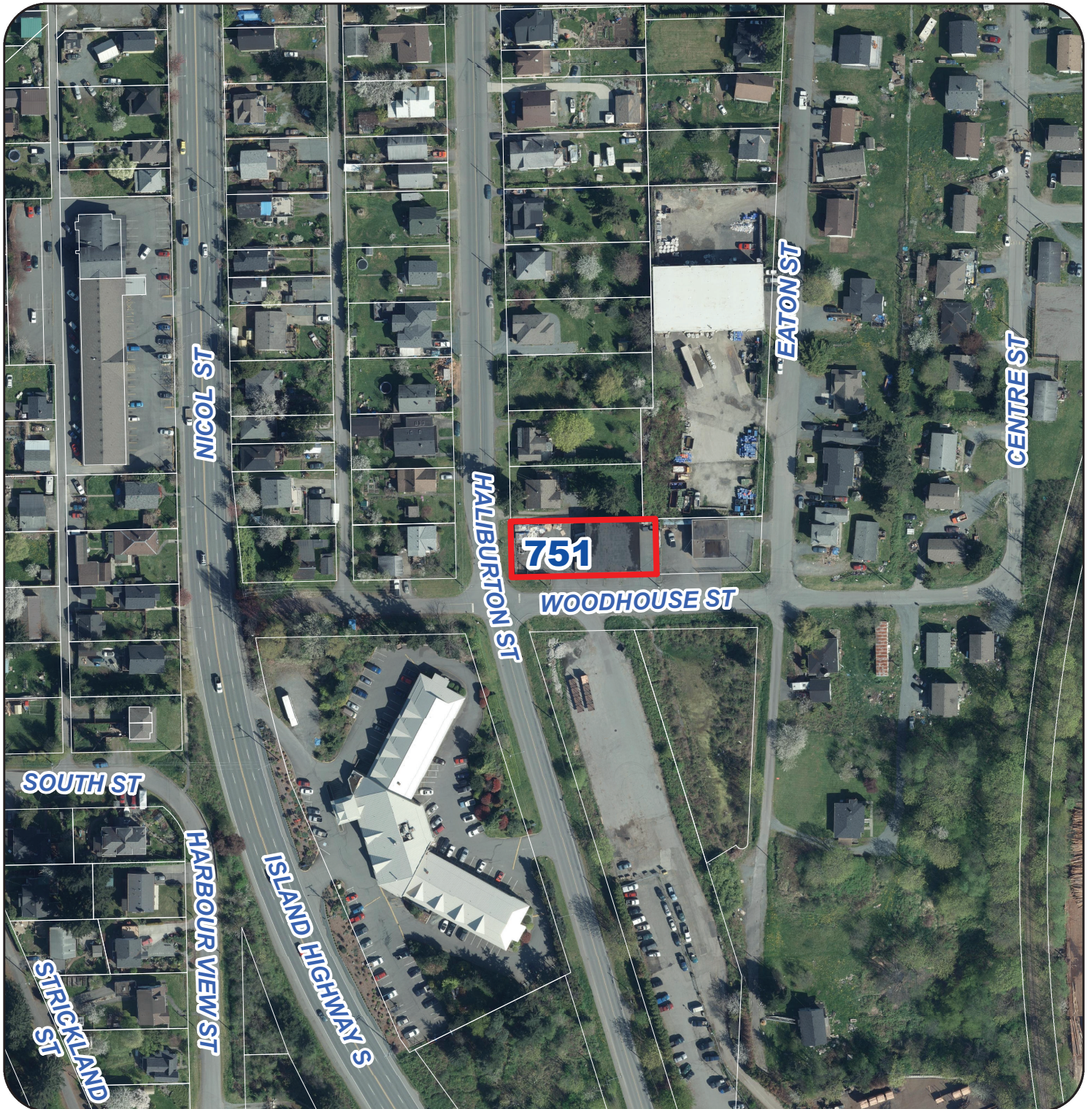


2 VIEW FROM HALIBURTON 2



3 VIEW FROM WOODHOUSE

ATTACHMENT D
AERIAL PHOTO



REZONING APPLICATION NO. RA000409

CITY OF NANAIMO

BYLAW NO. 4500.148

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.148".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 1, BLOCK EA, SECTION 1, NANAIMO DISTRICT, PLAN 57 (751 Haliburton Street) to allow Office as a site-specific use within the Local Service Centre (CC1) Zone, as shown on Schedule A.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

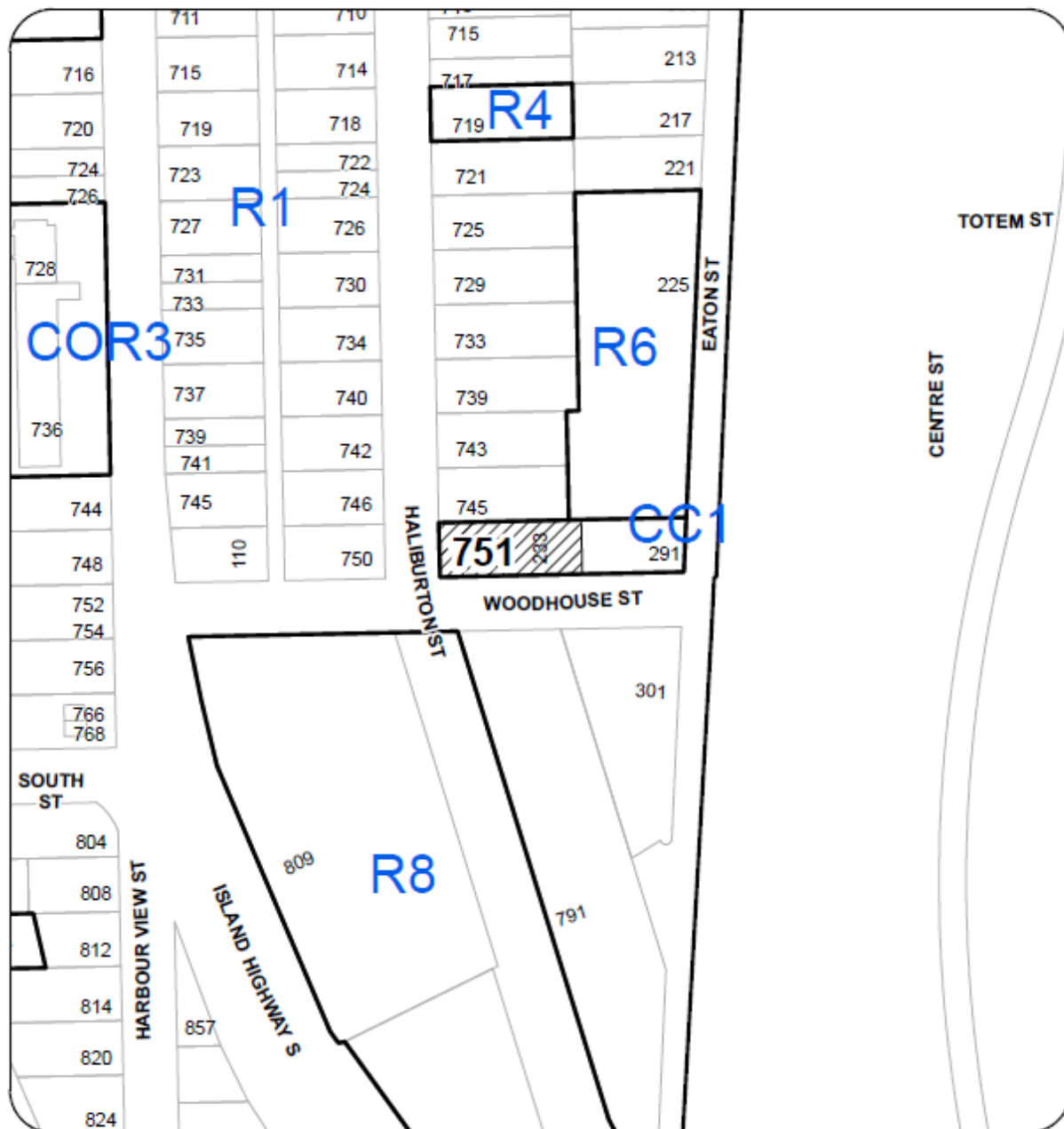
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000409
Address: 751 Haliburton Street

SCHEDULE A LOCATION PLAN



REZONING APPLICATION NO. RA000409

LOCATION PLAN



Subject Property

Civic: 751 HALIBURTON STREET
Legal: LOT 1, BLOCK EA, SECTION 1
NANAIMO DISTRICT, PLAN 57

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DATE OF MEETING April 29, 2019

AUTHORED BY MADELEINE KOCH, PLANNER, CURRENT PLANNING

SUBJECT REZONING APPLICATION NO. RA407 – 6683 MARY ELLEN DRIVE

OVERVIEW

Purpose of Report

To present Council with an application to amend the existing zoning of the property located at 6683 Mary Ellen Drive to allow “Cannabis Retail Store” as a site-specific use in the Woodgrove Urban Centre (CC4) Zone.

Recommendation

That:

1. “Zoning Amendment Bylaw 2019 No. 4500.142” (To rezone 6683 Mary Ellen Drive to allow “Cannabis Retail Store” as a site-specific use in the Woodgrove Urban Centre [CC4] Zone) pass first reading;
2. “Zoning Amendment Bylaw 2019 No. 4500.142” pass second reading; and
3. Council direct Staff to secure the amenity contribution prior to adoption of the bylaw, should Council support the bylaw at third reading.

BACKGROUND

A rezoning application (RA407) for 6683 Mary Ellen Drive was received from the Province of British Columbia Liquor Distribution Branch (LDB) on behalf of Spire LP (Woodgrove Crossing). The applicant proposes to amend the existing CC4 Zone to allow “Cannabis Retail Store” as a site-specific use within the subject property.

The City of Nanaimo adopted amendments to “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) on 2018-SEP-17 and established a Cannabis Retail Store (CRS) Rezoning Criteria policy to consider future applications for CRS developments in anticipation of changing Federal and Provincial legislation. Following the enactment of new legislation to decriminalize cannabis consumption and legalize the retail sale and distribution of Provincially-licensed cannabis product, the City of Nanaimo began receiving CRS rezoning applications on 2018-OCT-22.

To date, seven other CRS applications have been reviewed by Council:

Application No.	Address	Status
RA406	111 Nicol Street	Received third reading on 2019-FEB-07
RA410	1599 Dufferin Crescent	Received third reading on 2019-APR-04
RA415	2220 Bowen Road	Received third reading on 2019-APR-04
RA411	25 Front Street	Received first and second reading on 2019-APR-01

RA413	3923 Victoria Avenue	Received first and second reading on 2019-APR-01
RA416	1483 Bowen Road	Received first and second reading on 2019-APR-01
RA417	510 Fifth Street	Received first and second reading on 2019-APR-01

In total, Staff have received 16 CRS applications to date, including another CRS rezoning application (RA408) from the BC LDB for the property located at 3200 Island Highway North (Country Club Mall), which is on the same Council agenda.

Subject Property and Site Context

<i>Location</i>	The subject property is located within a commercial centre at 6683 Mary Ellen Drive.
<i>Total Lot Area</i>	2.42ha
<i>Current Zone</i>	CC4 (Woodgrove Urban Centre)
<i>Proposed Zone</i>	CC4 with site-specific “Cannabis Retail Store” use
<i>Official Community Plan Designation</i>	Urban Node
<i>Neighbourhood Plan Designation</i>	N/A
<i>Proximity to nearest school</i>	Approximately 1.5km each (<i>McGirr Elementary and Dover Bay Secondary</i>)
<i>Proximity to nearest licensed daycare</i>	Approximately 510m (<i>Jolly Giant Childcare</i>)
<i>Proximity to nearest CRS</i>	Approximately 1.2km (<i>6404 Metral Drive</i>)

The proposed Provincial CRS will be located within Unit B of the Woodgrove Crossing commercial shopping centre located at 6683 Mary Ellen Drive, which currently houses a retail clothing store (Warehouse One). The unit has an approximate floor area of 265.8m² and is accessed from the interior of the site. Other businesses within the shopping centre include Shoppers Drug Mart; Michael’s craft store; and a variety of restaurants, retail, and office units. To the north and east of the subject property are a range of commercial uses, including Woodgrove Mall. The property immediately to the west at 6974 Island Highway received development permit approval in 2018 for three, four-storey multi-family residential buildings. The subject property has frontage on the Nanaimo Parkway, Mary Ellen Drive, and the Island Highway North.

DISCUSSION

Proposed Development

The applicant is proposing to rezone the subject property to allow “Cannabis Retail Store” in addition to the existing CC4 permitted uses. While the CC4 Zone allows “retail” as a permitted use, a CRS requires site-specific zoning.

Provincial Licensing Requirements

Typically, the City requires confirmation from the BC Liquor and Cannabis Regulation Branch (LCRB) that an application for a non-medical cannabis retail licence has been made before a rezoning application for a CRS will be received. However, in this case, the applicant is the LDB, which is exempt from requiring a licence. However, Provincial cannabis retail stores are not exempt from the requirement to rezone for site-specific CRS zoning.

Official Community Plan/ Neighbourhood Plan

The Official Community Plan (OCP) designates the subject property as Urban Node. The OCP does not address CRS use specifically, but the Urban Node land-use designation supports retail uses and encourages a diversity of commercial, professional, and residential uses. The proposed CRS generally complies with the intent of the Urban Node land-use designation.

Cannabis Retail Store Rezoning Criteria

The following table summarizes how the proposed rezoning addresses the Cannabis Retail Store Rezoning Criteria adopted by Council on 2018-SEP-17, which are intended to inform Council's consideration of the rezoning application:

Criteria		Response
Location		
1.1	The proposed CRS should be located on, or in close proximity to a provincial highway, urban arterial, or urban major collector road, as defined in the City's Functional Road Classification Working Plan; or in an Urban Node, Commercial Centre or Corridor as designated in the City's Official Community Plan.	The subject property is designated as Urban Node within the OCP, and is located on a major collector road (Mary Ellen Drive).
1.2	The proposed CRS should not be located directly adjacent, or in close proximity to a school or licensed daycare facility. A minimum separation of 200m from these facilities is considered necessary, as measured from the front door of the CRS to the school or daycare property line.	<p>The proposed CRS is located more than 200m from any licensed daycares or schools, with the nearest schools (McGirr Elementary and Dover Bay Secondary) each located approximately 1.5km away, and the nearest daycare (Jolly Giant Childcare) approximately 510m away.</p> <p>The application was referred to School District 68 and they confirmed they have no concerns.</p>

1.3.	The proposed CRS should not be located within 200m of another CRS as measured from the front doors of the CRS. Where the CRS is to be located within a dense urban area (i.e., downtown), consideration shall be given to the overall urban density and context of the area.	The proposed CRS is more than 200m from another proposed CRS location. The nearest proposed CRS to date (6404 Metral Drive) is located approximately 1.2km away.
Building or Site		
2.1.	The size of the proposed CRS should be consistent with the nature of the immediate area and the size of existing retail stores within the area.	The proposed CRS will be located within an existing unit, and the size of the CRS is consistent with other commercial units in the surrounding area.
2.2.	The design of the proposed CRS should enhance or improve the aesthetics of the surrounding area, not detract from them.	The proposed façade of the CRS is consistent with other commercial units in the existing commercial building.
2.2.1.	The revitalization of heritage buildings is encouraged.	N/A
2.3.	Outside the downtown core, consideration should be given to a requirement for onsite parking and loading for every CRS.	The proposed CRS is located within an existing shopping centre; additional parking and loading is not required.
Community Impact		
3.1.	The applicant must outline their awareness of potential negative impacts of the proposed CRS on the community, and must identify the specific measures that will be taken to minimize or prevent these impacts from occurring.	The LDB (applicant) is closely involved in Province-led educational initiatives, including in-store campaigns and strategically-placed messaging. The aim of these campaigns is to: promote the safe and responsible use of cannabis; keep cannabis out of the hands of youth (minors are not permitted to enter cannabis retail stores, even if accompanied by an adult); preventing driving under the influence; informing the public about associated health risks; discouraging cannabis consumption during pregnancy; and discouraging participation in sporting activities while under the influence of cannabis.
3.1.1.	Possible measures could include efforts to prevent service to minors, minimize smells, prevent smoking or cannabis consumption on or near the premises, property maintenance and beautification programs designed to prevent unsightliness, etc.	<p>The applicant also proposes to undertake in-store fundraising campaigns for charitable causes.</p> <p>Additional impact mitigation measures include:</p> <ul style="list-style-type: none"> • Staff to complete required Provincial training program; • Intruder and fire monitoring systems;

	<ul style="list-style-type: none"> • Interior and exterior camera surveillance; • Locked and tempered glass display cases for cannabis accessories; • A secure storage room where product will be kept that will require access cards to enter; • Durable and reliable commercial-grade doors and locks; • Security shutters; and • Smash-resistant windows.
3.1.2 Consideration must be given to the impact a CRS will have when they are located in close proximity to libraries, public recreation centres, public community centres, parks, places of worship and other family-oriented facilities.	<p>May Richards Bennett Pioneer Park is the nearest park, located approximately 230m away from the proposed CRS unit.</p> <p>Woodgrove Mall is also approximately 230m away, and Maranatha Foursquare Gospel Church is approximately 510m away.</p>
3.2. Projected traffic volumes and on-street parking demands associated with a proposed CRS should not adversely impact nearby residential and commercial areas.	<p>The proposed CRS is located within an existing shopping centre and will not require additional parking.</p> <p>The proposed CRS is not expected to negatively impact traffic volumes.</p>
3.3. The support of the local community, neighbouring property owners and the local neighbourhood association for the proposed CRS is important to Council's decision.	<p>The Dover Bay Community Association confirmed they have no comments on the application.</p> <p>The applicant completed notification of the neighbouring properties as outlined in the policy. Development proposal signs have been placed on the property and if Council gives first and second reading to the "Zoning Amendment Bylaw 2019 No. 4500.142", the application will proceed to public hearing.</p>
3.3.1. The applicant is required to notify all neighbouring property owners within 200m of the subject property of the rezoning application, prior to the application proceeding to Council.	

Staff support the proposed rezoning from a land-use perspective, and consider the application to be substantially in compliance with Council's Cannabis Retail Store Rezoning Criteria policy.

Community Contribution

The applicant proposes a monetary contribution of \$10,000 to be directed towards the design and construction of transportation improvements within Mary Ellen Drive. Mary Ellen Drive is used to access a number of commercial properties in the area, including this shopping centre and Woodgrove Mall, and provides a linkage between the Provincial Island Highway (Hwy 19A) and the Nanaimo Parkway (Hwy 19). Staff have identified a need for transportation improvements to Mary Ellen Drive. The \$10,000 community contribution will supplement

existing funds in order to support pedestrian and traffic management improvements within this transportation corridor.

Conditions of Rezoning

Should Council support this application and pass third reading of “Zoning Amendment Bylaw 2019 No. 4500.142”, Staff recommend the following items be secured prior to final adoption of the Bylaw:

1. *Community Contribution* – a monetary contribution of \$10,000 to be directed towards Mary Ellen Drive pedestrian and transportation improvements.

SUMMARY POINTS

- A rezoning application has been received to allow cannabis retail store as a site-specific use in the CC4 Zone for the subject property at 6683 Mary Ellen Drive.
- The LDB is exempt from the Provincial non-medical cannabis retail licensing process, but not the municipal rezoning process.
- The application substantially complies with the Cannabis Retail Store Rezoning Criteria.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: Site Plan
ATTACHMENT C: School and Licensed Daycare Buffer Map
ATTACHMENT D: Proposed Floor Plan
ATTACHMENT E: Proposed Building Elevation
ATTACHMENT F: Letter of Rationale
ATTACHMENT G: Aerial Photo
“Zoning Amendment Bylaw 2019 No. 4500.142”

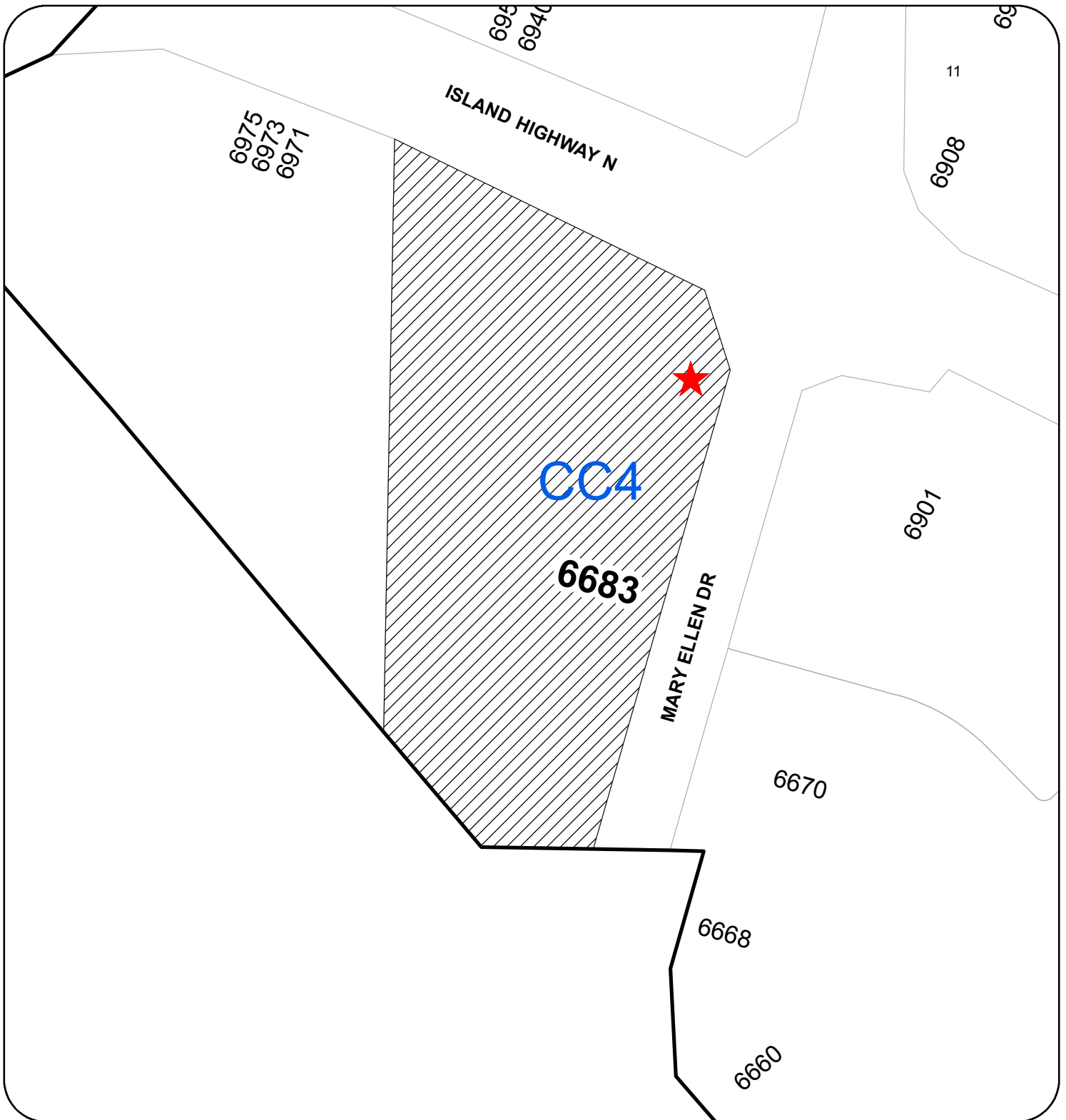
Submitted by:

L. Rowett
Manager, Current Planning

Concurrence by:

D. Lindsay
Director, Community Development

ATTACHMENT A
LOCATION PLAN



N



Proposed CRS Location



Subject Property

REZONING APPLICATION NO. RA000407

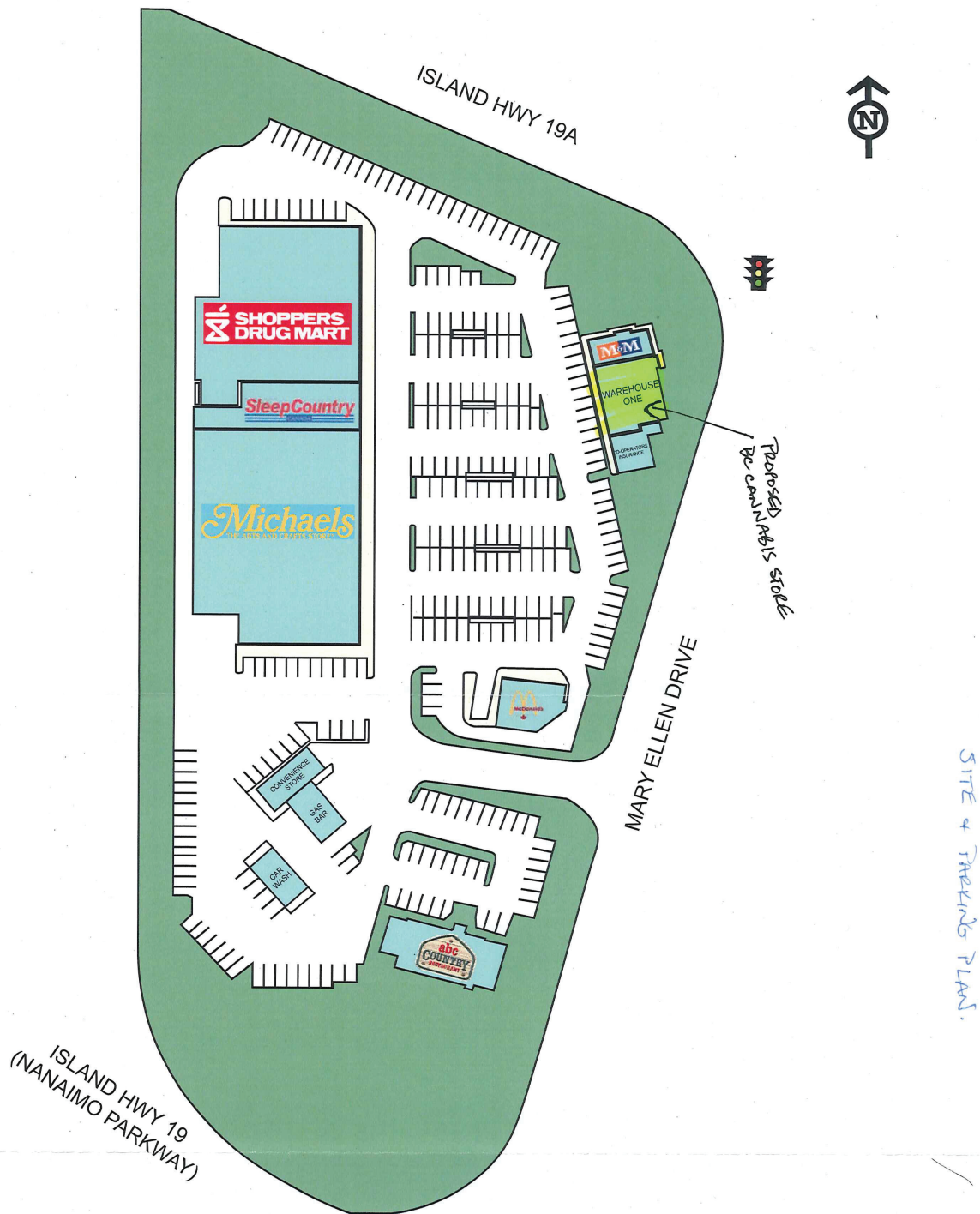
LOCATION PLAN

Civic: 6683 MARY ELLEN DRIVE

Legal: LOT A, DISTRICT LOT 26

WELLINGTON DISTRICT, PLAN VIP63639

ATTACHMENT B SITE PLAN



THIS SITE PLAN IS PRESENTED SOLELY FOR THE PURPOSE OF IDENTIFYING THE APPROXIMATE LOCATION OF THE BUILDINGS PRESENTLY CONTEMPLATED BY THE OWNERS/LANDLORD. BUILDING DIMENSIONS, ACCESS AND PARKING AREAS, EXISTING TENANT LOCATIONS AND IDENTITIES ARE SUBJECT TO CHANGE AT THE OWNER'S DISCRETION.



Shopping For Everyday Life

For Leasing Inquiries Contact:
Perri Zimmerman, Director of Leasing, British Columbia
Tel: (604) 278-0056
Email: perri.zimmerman@firstcapitalrealty.ca

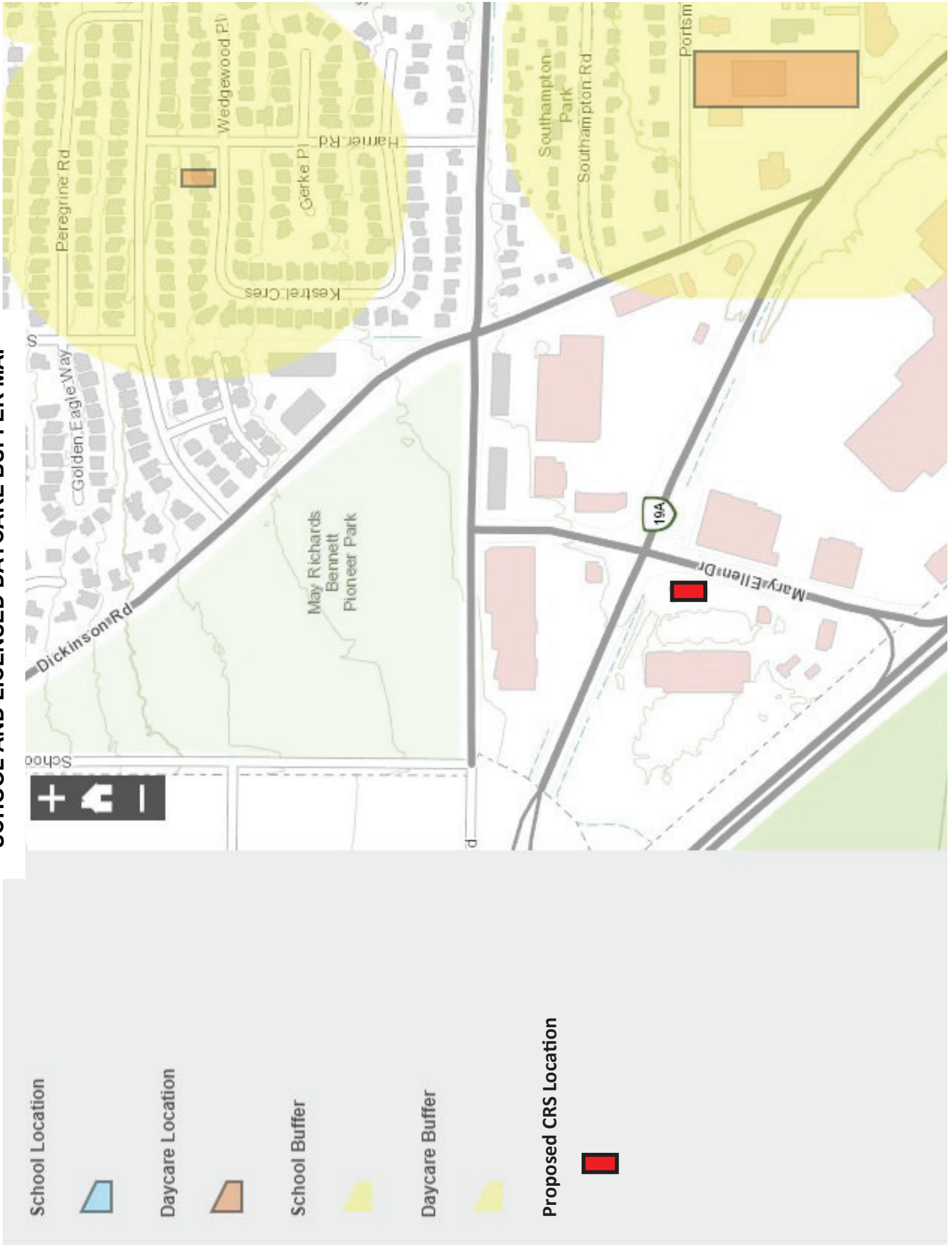
WOODGROVE CROSSING
NANAIMO, BRITISH COLUMBIA

6675 MARY ELLEN DR.

REVISED SEPTEMBER 16, 2010

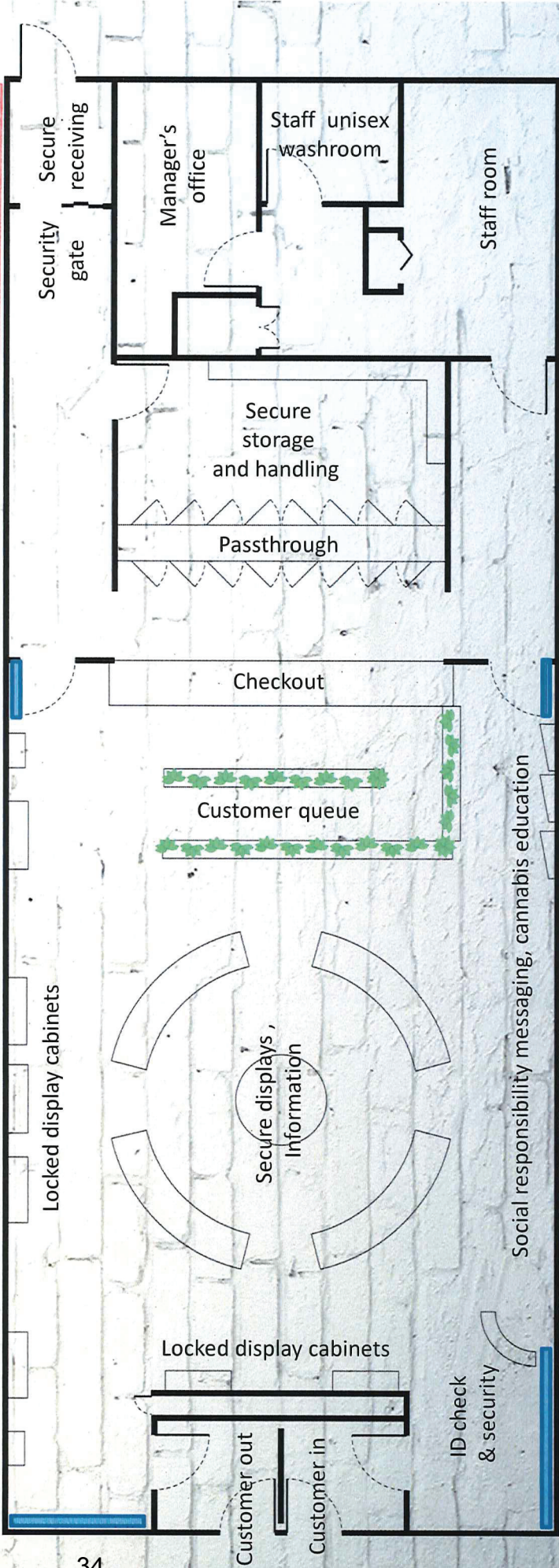


ATTACHMENT C SCHOOL AND LICENSED DAYCARE BUFFER MAP



RECEIVED
OCT 22 2018
CITY OF NANAIMO
COMMUNITY DEVELOPMENT

Concept Floorplan:



[Blue rectangle] = Social responsibility signage

**ATTACHMENT E
PROPOSED BUILDING ELEVATION**





**LIQUOR
DISTRIBUTION
BRANCH**

Office of the General Manager
and Chief Executive Officer

October 22, 2018

City of Nanaimo
455 Wallace Street
Nanaimo, BC V9R 5J6

Dear Mayor and Councillors:

Re: Cannabis Retail Store Rezoning Application

Please accept our rezoning application to locate a **government operated cannabis retail store** at the Woodgrove Crossing retail complex, located at **Unit B, 6683 Mary Ellen Drive**. The Liquor Distribution Branch ("LDB") has received support from the landlord of this property to proceed with this application ("Appointment of Agent" form attached).

About the LDB

The LDB is one of two branches of government responsible for the beverage alcohol and non-medical cannabis (cannabis) industries in B.C. Through the *Liquor Distribution and Cannabis Distribution Acts*, the LDB is mandated with the purchase and distribution of beverage alcohol and cannabis for the Province. As well, the LDB operates a number of public liquor stores (197 in total), and, in February 2018, the Province announced that LDB will also operate public cannabis retail stores, as well as an e-commerce platform to offer public on-line sales of cannabis.

Revenue generated through the LDB's wholesale and retail operations is directed to the Provincial Government and contributes to supporting vital public services such as health care and education. For the 2017/2018 fiscal year, the LDB contributed \$1.12 billion to fund government services. Revenue generated through LDB's newly implemented cannabis operations (both wholesale and retail) will also be directed back to the Province to support important public services.

Location of Proposed Cannabis Retail Store

The Woodgrove Crossing retail complex was selected by the LDB for a proposed cannabis retail store for a number of reasons, including that the site is:

- Located in close proximity to one of Nanaimo's premier intersections (Southwest corner of Old Island Hwy and Mary Ellen Drive);
- Located in a regional retail node and is therefore consistent with the nature of the immediate area;
- Located at least 200m away from any schools/daycares and any other cannabis retail store;
- Easily accessible to customers; and

.../2

- Not expected to adversely impact traffic in the surrounding area, given its location near a premier intersection and in an already established retail complex.

Building and Site

The following considerations were taken into account when evaluating the appropriateness of the site and building for a cannabis retail store:

- The intended use of the site is consistent with the “retail” nature of the immediate area.
- The size of the proposed cannabis retail store is 2,861 square feet, which is in the midrange of other retail stores existing on the subject site and in the surrounding area.
- The site provides for ample parking and efficient traffic flow.

The storefront will be bright, clean, welcoming and professional, with the intent of creating a safe and favourable alternative to purchasing cannabis from the illicit market. Storefronts will have frosted windows to align with Health Canada’s requirements that cannabis not be visible to minors.

Community Impact

The LDB works closely with the Liquor and Cannabis Regulation Branch (LCRB) and the Ministry of Public Safety and Solicitor General to encourage the safe and responsible use of alcohol and cannabis in BC. The LDB is also committed to working in partnership with local governments to follow all municipal zoning processes and meet all bylaw requirements, as well as local law enforcement agencies to maintain public safety and to mitigate, and respond to, any negative impact on the community.

Social Responsibility is part of the LDB’s Mission Statement and one of the four pillars we have identified that supports our success. Our efforts are focused on three themes: encouraging and promoting responsible use of alcohol and cannabis, reducing the impact our business has on the environment, and giving back to the communities we serve. We meet these objectives by:

- Delivering products that meet strict product safety and quality requirements - all cannabis products will be purchased through the LDB wholesale channel; product will be lab tested and will only be purchased from producers that have been licensed by Health Canada.
- Ensuring accountability of our key business partners (e.g. Licensed Cannabis Producers).
- Promoting the safe and responsible use of beverage alcohol and cannabis through social responsibility campaigns aimed at keeping alcohol and cannabis out of the hands of youth*, preventing driving under the influence, and informing the public about associated health risks.
- Actively discouraging customers from engaging in high-risk behaviour like drinking or consuming cannabis and driving, consuming alcohol or cannabis during pregnancy and participating in sporting activities while under the influence of alcohol or cannabis;

.../3

City of Nanaimo
Page 3

- Increasing awareness of the dangers associated with over-consumption or risky behaviour through various in-store campaigns with strategically placed messaging;
- Raising money through in-store fundraising campaigns for dry grad celebrations, red cross disaster relief, kids in need, and local community charities (through the Provincial Governments Employee Workplace charitable giving campaign); and
- Incorporating environmental sustainability into all facets of our business with a goal of reducing our environmental footprint and being a leader in sustainable retailing.

****Keeping cannabis out of the hands of minors will be a top priority for the LDB. Unlike liquor stores, minors will not be permitted to enter cannabis retail stores, even if they are accompanied by a parent or guardian. When entering the store, there will be an ID check at the entrance. Individuals without ID or minors (even those accompanying someone of legal age) will not be permitted in the store. As well, all staff will be required to complete a provincial training program.***

Additionally, customer, employee and community safety is paramount. All BC Cannabis Stores will have:

- Intruder and fire monitoring systems;
- Interior and exterior camera surveillance;
- Locked and tempered glass display cases for cannabis accessories;
- A secure storage room where product will be kept that will require access cards to enter;
- Durable and reliable commercial-grade doors and locks;
- Security shutters; and
- Smash-resistant windows.

All stores will employ unionized staff and result in job creation within the City of Nanaimo. Specifically to this site, the store would have one Store Manager, two Assistant Managers, 6 full-time Cannabis Consultants, 2-4 part-time Cannabis Consultants, and approximately 4-6 auxiliary staff. The starting wages for these positions is \$21/hour. All employees go through criminal background checks.

And lastly, defective product will be transported to an off-premise location to be destroyed. Stores will not incinerate or dispose of cannabis products on premise.

Further details regarding BC Cannabis Stores and the LDB's social responsibility efforts are included in the attached slide deck. If you require additional materials or have any questions we would be very happy to provide it. We thank you in advance for your consideration of our application.

Sincerely,

R. Blain Lawson
General Manager and Chief Executive Officer
BC Liquor Distribution Branch

ATTACHMENT G
AERIAL PHOTO



REZONING APPLICATION NO. RA000407



Proposed CRS Location



Subject Property

CITY OF NANAIMO

BYLAW NO. 4500.142

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.142".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT A, DISTRICT LOT 26, WELLINGTON DISTRICT, PLAN VIP63639 (6683 Mary Ellen Drive) to allow Cannabis Retail Store as a site-specific use within the Woodgrove Urban Centre (CC4) Zone, as shown on Schedule A.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

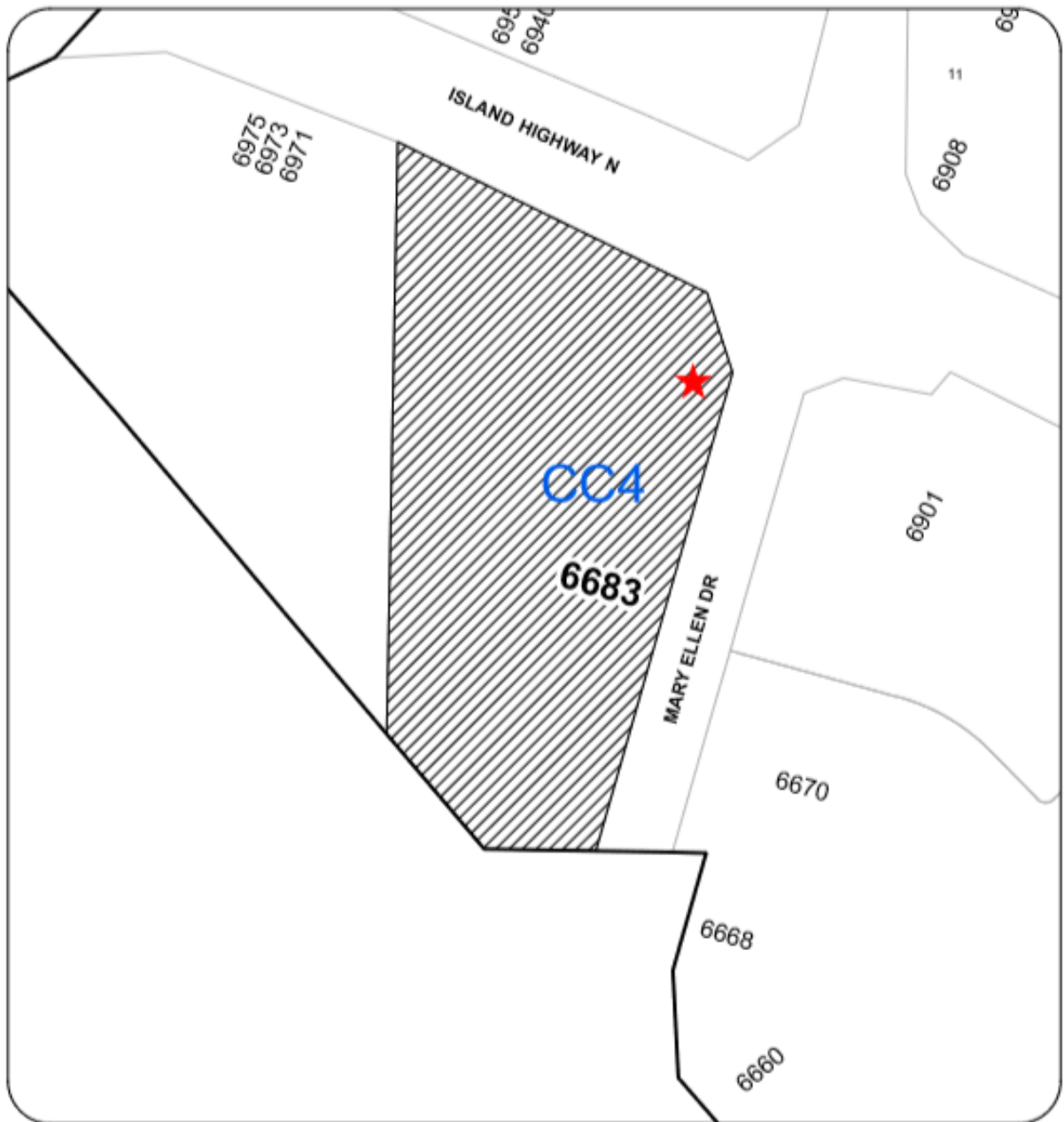
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000407
Address: 6683 Mary Ellen Drive

LOCATION PLAN



Proposed CRS Location



Subject Property

REZONING APPLICATION NO. RA000407

LOCATION PLAN

Civic: 6683 MARY ELLEN DRIVE

Legal: LOT A, DISTRICT LOT 26

WELLINGTON DISTRICT, PLAN VIP63639

DATE OF MEETING April 29, 2019

AUTHORED BY MADELEINE KOCH, PLANNER, CURRENT PLANNING

SUBJECT REZONING APPLICATION NO. RA408 – 3200 ISLAND HIGHWAY NORTH

OVERVIEW

Purpose of Report

To present Council with an application to amend the existing zoning of the property located at 3200 Island Highway North to allow “Cannabis Retail Store” as a site-specific use in the City Commercial Centre (CC3) Zone.

Recommendation

That:

1. “Zoning Amendment Bylaw 2019 No. 4500.143” (To rezone 3200 Island Highway North to allow “Cannabis Retail Store” as a site-specific use in the City Commercial Centre [CC3] Zone) pass first reading;
2. “Zoning Amendment Bylaw 2019 No. 4500.143” pass second reading; and
3. Council direct Staff to secure the amenity contribution prior to adoption of the bylaw, should Council support the bylaw at third reading.

BACKGROUND

A rezoning application (RA408) for 3200 Island Highway North was received from the Province of British Columbia Liquor Distribution Branch (LDB) on behalf of Country Club Centre Ltd. The applicant proposes to amend the existing CC3 Zone to allow “Cannabis Retail Store” as a site-specific use within the subject property.

The City of Nanaimo adopted amendments to City of Nanaimo “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) on 2018-SEP-17 and established a Cannabis Retail Store (CRS) Rezoning Criteria policy to consider future applications for CRS developments in anticipation of changing Federal and Provincial legislation. Following the enactment of new legislation to decriminalize cannabis consumption and legalize the retail sale and distribution of Provincially-licensed cannabis product, the City of Nanaimo began receiving CRS rezoning applications on 2018-OCT-22.

To date, seven other CRS applications have been reviewed by Council:

Application No.	Address	Status
RA406	111 Nicol Street	Received third reading on 2019-FEB-07
RA410	1599 Dufferin Crescent	Received third reading on 2019-APR-04
RA415	2220 Bowen Road	Received third reading on 2019-APR-04
RA411	25 Front Street	Received first and second reading on 2019-APR-01

RA413	3923 Victoria Avenue	Received first and second reading on 2019-APR-01
RA416	1483 Bowen Road	Received first and second reading on 2019-APR-01
RA417	510 Fifth Street, Unit 105	Received first and second reading on 2019-APR-01

In total, Staff have received 16 CRS applications to date, including another CRS rezoning application (RA407) from the BC LDB for the property located at 6683 Mary Ellen Drive, which is on the same Council agenda.

Subject Property and Site Context

<i>Location</i>	The subject property is located within a commercial centre at 3200 Island Highway North.
<i>Total Lot Area</i>	9.8ha
<i>Current Zone</i>	CC3 - City Commercial Centre
<i>Proposed Zone</i>	CC3 with site-specific “Cannabis Retail Store” use
<i>Official Community Plan Designation</i>	City Commercial Centre
<i>Neighbourhood Plan Designation</i>	N/A
<i>Proximity to nearest school</i>	Approximately 530m (Wellington Secondary)
<i>Proximity to nearest licensed daycare</i>	Approximately 795m (Little Heroes Childcare)
<i>Proximity to nearest CRS</i>	Approximately 650m (3923 Victoria Avenue)

The subject property contains Country Club Mall. The proposed provincial CRS will be located within a future commercial building on the south side of the mall property. A development permit application (DP1135) has been submitted for this new building, which will contain four commercial rental units, including the proposed CRS. The proposed unit has an approximate floor area of 271m² and is accessed from the interior of the site, near the south access along Island Highway North.

DISCUSSION

Proposed Development

The applicant is proposing to rezone the subject property to allow “Cannabis Retail Store” use in addition to the existing CC3 permitted uses. While the CC3 Zone allows “retail” as a permitted use, a CRS requires site-specific zoning.

Provincial Licensing Requirements

Typically, the City requires confirmation from the BC Liquor and Cannabis Regulation Branch (LCRB) that an application for a non-medical cannabis retail licence has been made before a rezoning application for a CRS will be received. However, in this case, the applicant is the LDB, which is exempt from requiring a licence. However, Provincial cannabis retail stores are not exempt from the requirement to rezone for site-specific CRS zoning.

Official Community Plan/ Neighbourhood Plan

The Official Community Plan (OCP) designates the subject property as City Commercial Centre. The OCP does not address CRS use specifically, but the City Commercial Centre land-use designation supports retail uses and encourages a diversity of commercial, professional, and residential uses. The proposed CRS generally complies with the intent of the City Commercial Centre land-use designation.

Cannabis Retail Store Rezoning Criteria

The following table summarizes how the proposed rezoning addresses the Cannabis Retail Store Rezoning Criteria adopted by Council on 2018-SEP-17, which are intended to inform Council's consideration of the rezoning application:

Criteria		Response
Location		
1.1	The proposed CRS should be located on, or in close proximity to a provincial highway, urban arterial or urban major collector road, as defined in the City's Functional Road Classification Working Plan; or in an Urban Node, Commercial Centre or Corridor as designated in the City's OCP.	The subject property is within a Commercial Centre land-use designation, and located on a provincial highway.
1.2	The proposed CRS should not be located directly adjacent, or in close proximity to a school or licensed daycare facility. A minimum separation of 200m from these facilities is considered necessary, as measured from the front door of the CRS to the school or daycare property line.	The proposed CRS is located more than 200m from any licensed daycares or schools, with the nearest school (Wellington Secondary) located approximately 530m away and the nearest daycare (Little Heroes Childcare) which is approximately 795m away. The application was referred to School District 68 and they confirmed they have no concerns.
1.3.	The proposed CRS should not be located within 200m of another CRS as measured from the front doors of the CRS. Where the CRS is to be located within a dense urban area (i.e., downtown), consideration shall be given to the overall urban density and context of the area.	The proposed CRS is more than 200m from another proposed CRS location. The nearest proposed CRS to date (3923 Victoria Avenue) is located approximately 650m away.
Building or Site		
2.1.	The size of the proposed CRS should be consistent with the nature of the immediate area and the size of existing retail stores within the area.	The size of the proposed CRS is consistent with other commercial units within the existing mall and the surrounding area.

2.2.	The design of the proposed CRS should enhance or improve the aesthetics of the surrounding area, not detract from them.	The proposed façade of the CRS is consistent with other commercial units in the existing mall and in the surrounding area.
2.2.1.	The revitalization of heritage buildings is encouraged.	N/A
2.3.	Outside the downtown core, consideration should be given to a requirement for onsite parking and loading for every CRS.	The proposed CRS will be located within an existing shopping centre; additional parking is not required.
Community Impact		
3.1.	The applicant must outline their awareness of potential negative impacts of the proposed CRS on the community, and must identify the specific measures that will be taken to minimize or prevent these impacts from occurring.	The LDB (applicant) is closely involved in Province-led educational initiatives including in-store campaigns and strategically placed messaging. The aim of these campaigns is to: promote the safe and responsible use of cannabis; keep cannabis out of the hands of youth (minors are not permitted to enter cannabis retail stores, even if accompanied by an adult); preventing driving under the influence; informing the public about associated health risks; discouraging cannabis consumption during pregnancy; and discouraging participation in sporting activities while under the influence of cannabis.
3.1.1.	Possible measures could include efforts to prevent service to minors, minimize smells, prevent smoking or cannabis consumption on or near the premises, property maintenance and beautification programs designed to prevent unsightliness, etc.	<p>The applicant also proposes to undertake in-store fundraising campaigns for charitable causes.</p> <p>The applicant proposes the following mitigation measures:</p> <ul style="list-style-type: none"> • Staff to complete required Provincial training program; • Intruder and fire monitoring systems; • Interior and exterior camera surveillance; • Locked and tempered glass display cases for cannabis accessories; • A secure storage room where product will be kept that will require access cards to enter; • Durable and reliable commercial-grade doors and locks; • Security shutters; and • Smash-resistant windows.

3.1.2	Consideration must be given to the impact a CRS will have when they are located in close proximity to libraries, public recreation centres, public community centres, parks, places of worship and other family-oriented facilities.	Diver Lake Park is the nearest park, located approximately 600m away from the proposed CRS unit. St. Andrews Presbyterian Church is located approximately 400m away.
3.2.	Projected traffic volumes and on-street parking demands associated with a proposed CRS should not adversely impact nearby residential and commercial areas.	The proposed CRS is located within an existing shopping centre and will not require additional parking. The proposed CRS is not expected to negatively impact traffic volumes.
3.3.	The support of the local community, neighbouring property owners and the local neighbourhood association for the proposed CRS is important to Council's decision.	The Wellington Community Association indicated they support the proposed CRS location.
3.3.1.	The applicant is required to notify all neighbouring property owners within 200m of the subject property of the rezoning application, prior to the application proceeding to Council.	The applicant completed notification of the neighbouring properties as outlined in the policy. Development proposal signs have been placed on the property and if Council gives first and second reading to the Bylaw, the application will proceed to public hearing.

Staff support the proposed rezoning from a land-use perspective, and consider the application to be substantially in compliance with Council's Cannabis Retail Store Rezoning Criteria policy.

Community Contribution

The applicant proposes a monetary contribution of \$10,000 to be directed towards Loudon Park and Trail improvements.

Conditions of Rezoning

Should Council support this application and pass third reading of "Zoning Amendment Bylaw 2019 No. 4500.143", Staff recommend the following items be secured prior to final adoption of the Bylaw:

1. *Community Contribution* – a monetary contribution of \$10,000 to be directed towards Loudon Park and Trail improvements.

SUMMARY POINTS

- A rezoning application has been received to allow cannabis retail store as a site-specific use in the CC3 Zone for the subject property at 3200 Island Highway North.
- The LDB is exempt from the Provincial non-medical cannabis retail licensing process, but not the municipal rezoning process.
- The application substantially complies with the Cannabis Retail Store Rezoning Criteria.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: Site Plan
ATTACHMENT C: School and Licensed Daycare Buffer Map
ATTACHMENT D: Proposed Floor Plan
ATTACHMENT E: Letter of Rationale
ATTACHMENT F: Aerial Photo
“Zoning Amendment Bylaw 2019 No. 4500.143”

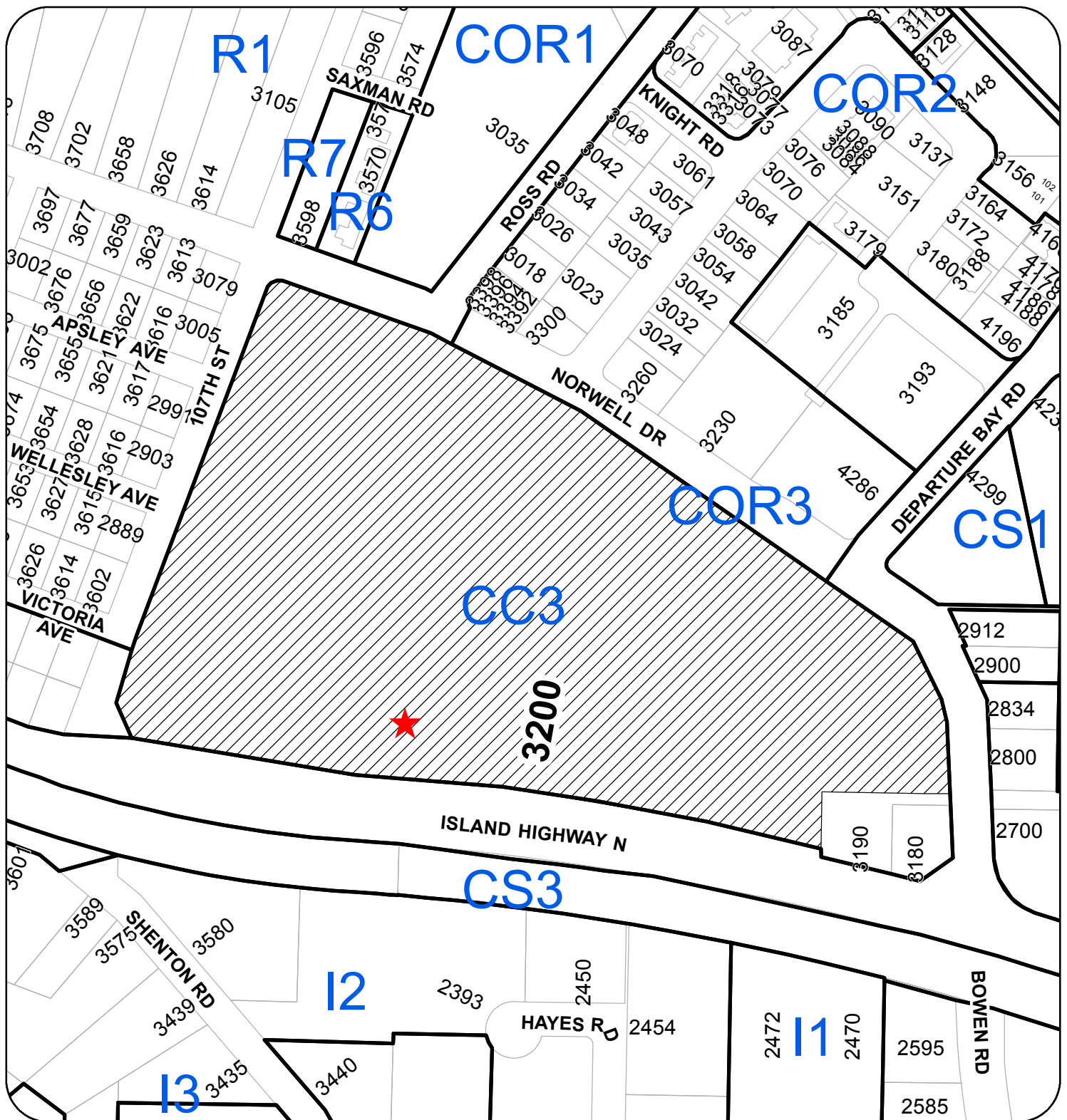
Submitted by:

L. Rowett
Manager, Current Planning

Concurrence by:

D. Lindsay
Director, Community Development

ATTACHMENT A LOCATION PLAN



REZONING APPLICATION NO. RA000408

LOCATION PLAN



Proposed CRS Location



Subject Property

Civic: 3200 ISLAND HIGHWAY N

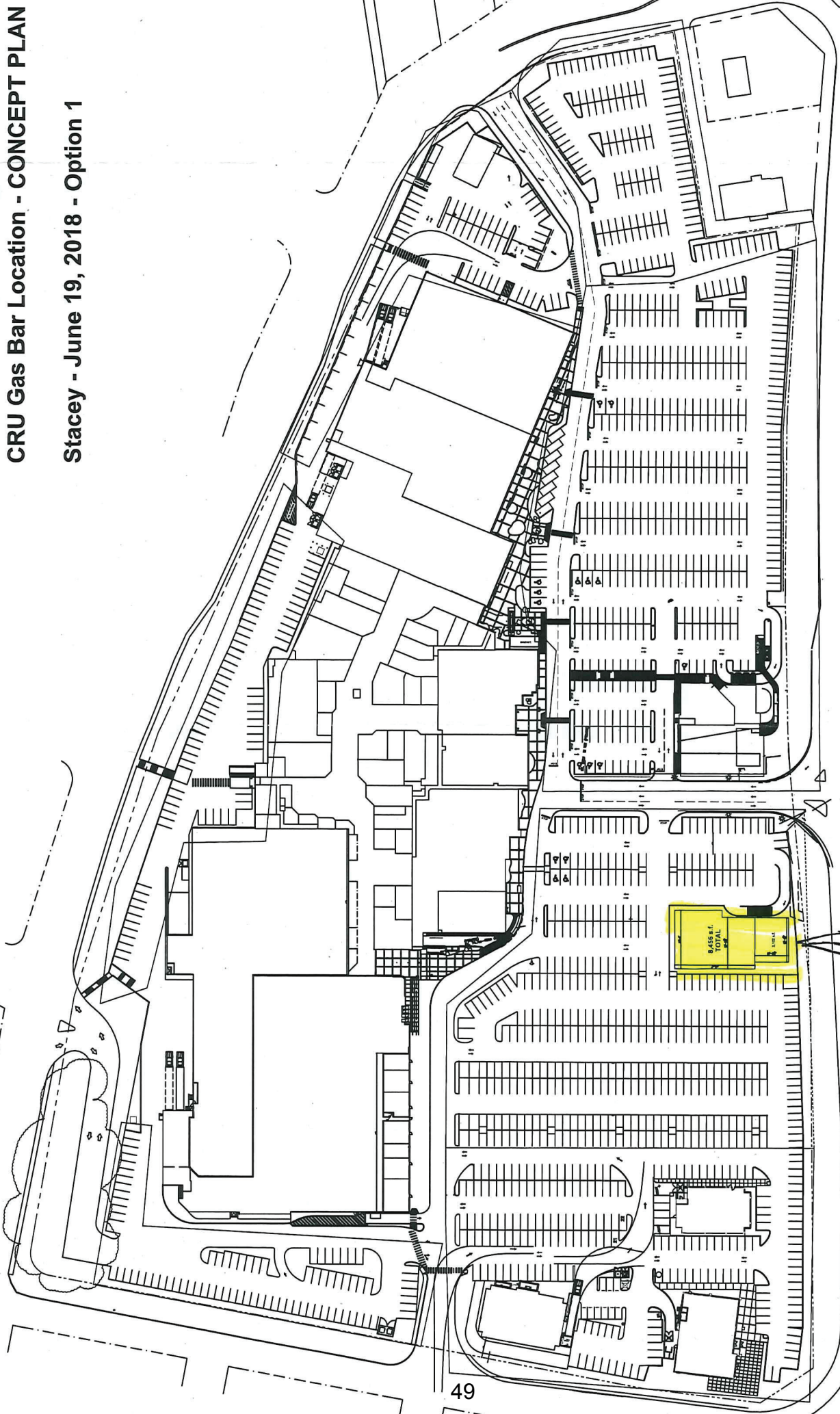
Legal: LOT A, SECTION 3 & 5

WELLINGTON DISTRICT, PLAN VIP60825

ATTACHMENT B
SITE PLAN

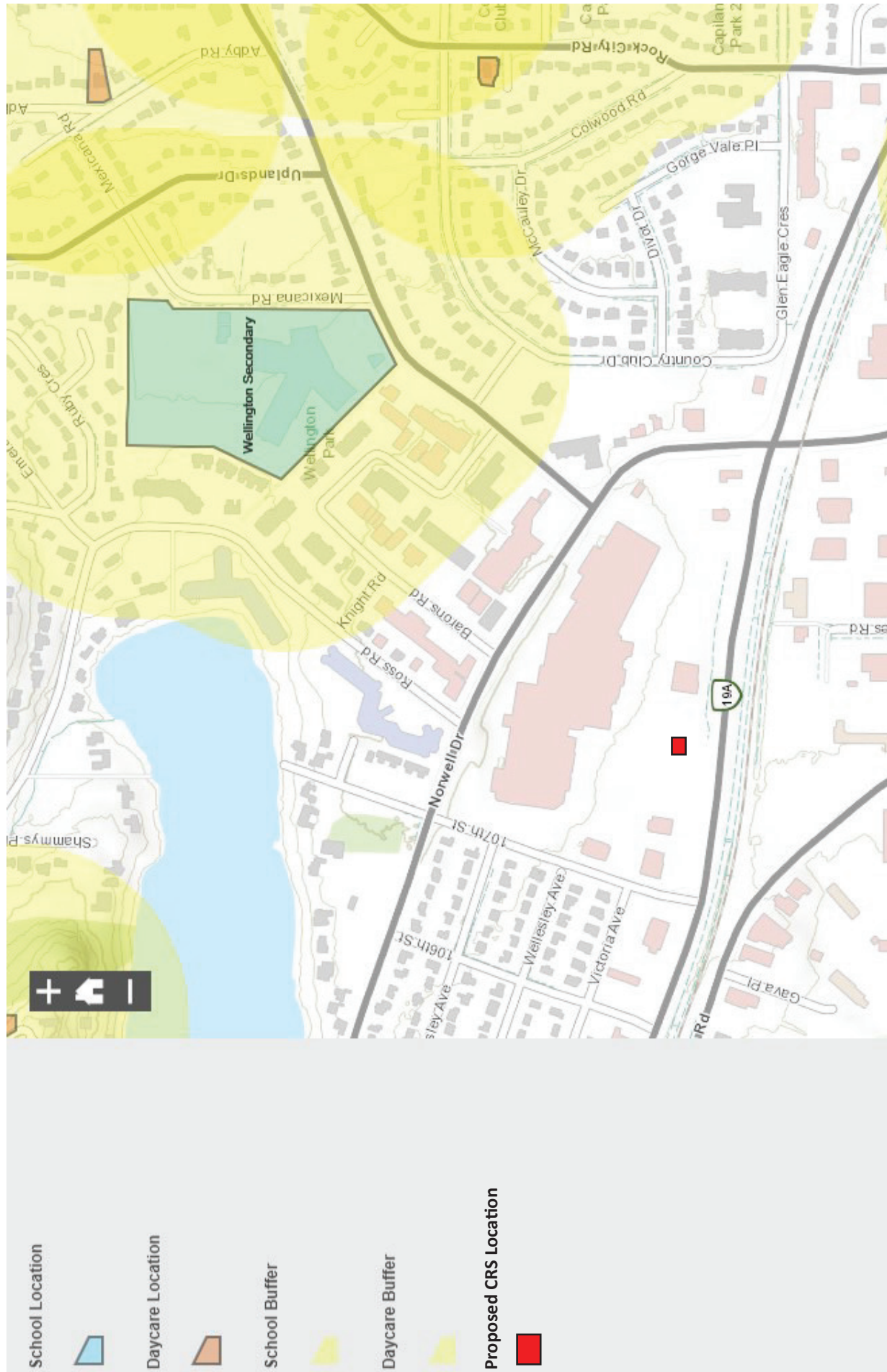
COUNTRY CLUB CENTER
CRU Gas Bar Location - CONCEPT PLAN

Stacey - June 19, 2018 - Option 1



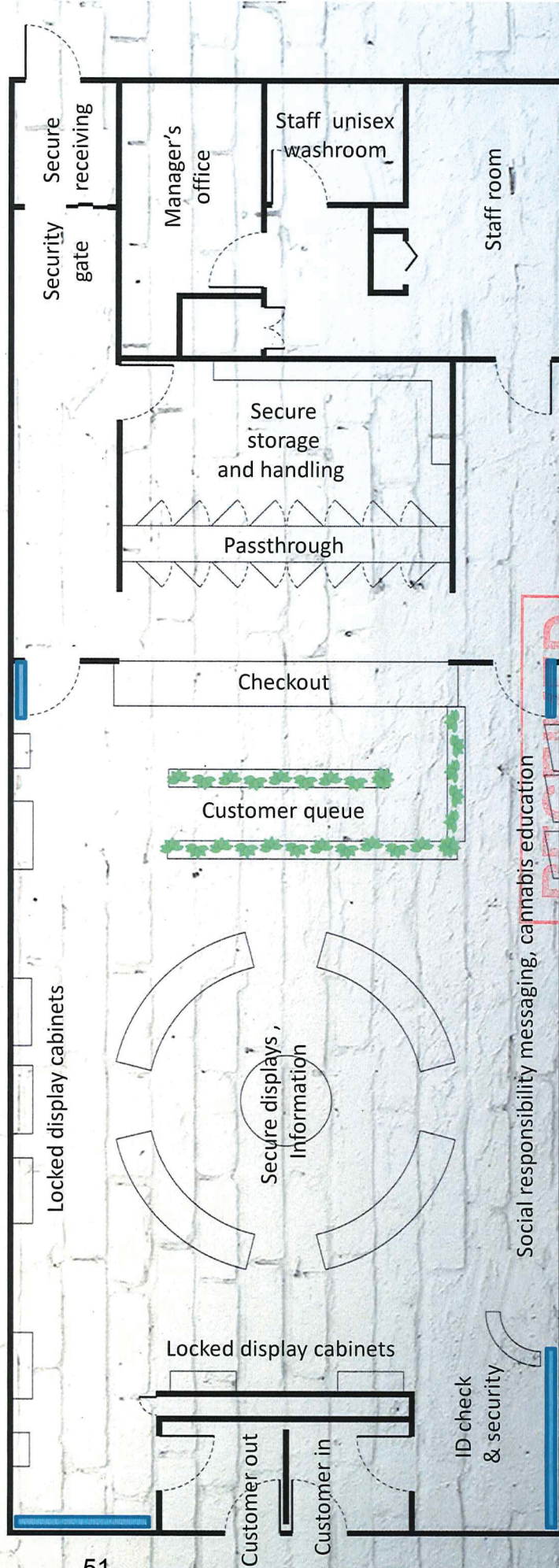
PROPOSED
LOCATION
ALL PARKING
IS COMMON

ATTACHMENT C SCHOOL AND LICENSED DAYCARE BUFFER MAP



ATTACHMENT D
PROPOSED FLOOR PLAN

Concept Floorplan:



Social responsibility messaging, cannabis education

[Blue rectangle] = Social responsibility signage

RECEIVED
R4408
OCT 22 2018
CITY OF NANAIMO
COMMUNITY DEVELOPMENT

ATTACHMENT E LETTER OF RATIONALE



**LIQUOR
DISTRIBUTION
BRANCH**

Office of the General Manager
and Chief Executive Officer

October 22, 2018

City of Nanaimo
City Hall
455 Wallace Street
Nanaimo, BC V9R 5J6

Dear Mayor and Councillors:

Re: Cannabis Retail Store Rezoning Application

Please accept our rezoning application to locate a **government operated cannabis retail store** at the Country Club Centre retail complex, located at **3200 North Island Highway**. The Liquor Distribution Branch ("LDB") has received support from the landlord of this property to proceed with this application ("Appointment of Agent" form attached).

About the LDB

The LDB is one of two branches of government responsible for the beverage alcohol and non-medical cannabis (cannabis) industries in B.C. Through the *Liquor Distribution and Cannabis Distribution Acts*, the LDB is mandated with the purchase and distribution of beverage alcohol and cannabis for the Province. As well, the LDB operates a number of public liquor stores (197 in total), and, in February 2018, the Province announced that LDB will also operate public cannabis retail stores, as well as an e-commerce platform to offer public on-line sales of cannabis.

Revenue generated through the LDB's wholesale and retail operations is directed to the Provincial Government and contributes to supporting vital public services such as health care and education. For the 2017/2018 fiscal year the LDB contributed \$1.12 billion to fund government services. Revenue generated through LDB's newly implemented cannabis operations (both wholesale and retail) will also be directed back to the Province to support important public services.

Location of Proposed Cannabis Retail Store

The Country Club Centre retail complex was selected by the LDB for a proposed cannabis retail store for a number of reasons, including that the site is:

- Located along one of Nanaimo's premier intersections (North Island Hwy and Bowen Road);
- Located in a retail complex and is therefore consistent with the nature of the immediate area;
- Located at least 200m away from any schools/daycares and any other cannabis retail store;
- Easily accessible to customers; and

RECEIVED
RA408
OCT 22 2018

.../2

City of Nanaimo
Page 2

- Not expected to adversely impact traffic in the surrounding area, given its location near a premier intersection and in an already established retail complex.

Building and Site

The following considerations were taken into account when evaluating the appropriateness of the site and building for a cannabis retail store:

- The intended use of the site is consistent with the “retail” nature of the surrounding area.
- The proposed cannabis retail store will be approximately 3000 square feet, which is in the midrange of other retail stores existing on the subject site and in the surrounding area.
- The site provides for ample parking and efficient traffic flow.

The storefront will be bright, clean, welcoming and professional, with the intent of creating a safe and favourable alternative to purchasing cannabis from the illicit market. Storefronts will have frosted windows to align with Health Canada’s requirements that cannabis not be visible to minors.

Community Impact

The LDB works closely with the Liquor and Cannabis Regulation Branch (LCRB) and the Ministry of Public Safety and Solicitor General to encourage the safe and responsible use of alcohol and cannabis in BC. The LDB is also committed to working in partnership with local governments to follow all municipal zoning processes and meet all bylaw requirements, as well as local law enforcement agencies to maintain public safety and to mitigate, and respond to, any negative impact on the community.

Social Responsibility is part of the LDB’s Mission Statement and one of the four pillars we have identified that supports our success. Our efforts are focused on three themes: encouraging and promoting responsible use of alcohol and cannabis, reducing the impact our business has on the environment, and giving back to the communities we serve. We meet these objectives by:

- Delivering products that meet strict product safety and quality requirements - all cannabis products will be purchased through the LDB wholesale channel; product will be lab tested and will only be purchased from producers that have been licensed by Health Canada.
- Ensuring accountability of our key business partners (e.g. Licensed Cannabis Producers).
- Promoting the safe and responsible use of beverage alcohol and cannabis through social responsibility campaigns aimed at keeping alcohol and cannabis out of the hands of youth*, preventing driving under the influence, and informing the public about associated health risks.
- Actively discouraging customers from engaging in high-risk behaviour like drinking or consuming cannabis and driving, consuming alcohol or cannabis during pregnancy and participating in sporting activities while under the influence of alcohol or cannabis;
- Increasing awareness of the dangers associated with over-consumption or risky behaviour through various in-store campaigns with strategically placed messaging;

.../3

City of Nanaimo
Page 3

- Raising money through in-store fundraising campaigns for dry grad celebrations, red cross disaster relief, kids in need, and local community charities (through the Provincial Governments Employee Workplace charitable giving campaign); and
- Incorporating environmental sustainability into all facets of our business with a goal of reducing our environmental footprint and being a leader in sustainable retailing.

****Keeping cannabis out of the hands of minors will be a top priority for the LDB. Unlike liquor stores, minors will not be permitted to enter cannabis retail stores, even if they are accompanied by a parent or guardian. When entering the store, there will be an ID check at the entrance. Individuals without ID or minors (even those accompanying someone of legal age) will not be permitted in the store. As well, all staff will be required to complete a provincial training program.***

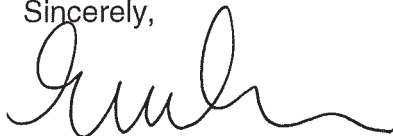
Additionally, customer, employee and community safety is paramount. All BC Cannabis Stores will have:

- Intruder and fire monitoring systems;
- Interior and exterior camera surveillance;
- Locked and tempered glass display cases for cannabis accessories;
- A secure storage room where product will be kept that will require access cards to enter;
- Durable and reliable commercial-grade doors and locks;
- Security shutters; and
- Smash-resistant windows.

And lastly, defective product will be transported to an off-premise location to be destroyed. Stores will not incinerate or dispose of cannabis products on premise.

Further details regarding BC Cannabis Stores and the LDB's social responsibility efforts are included in the attached slide deck. If you require additional materials or have any questions we would be very happy to provide it. We thank you in advance for your consideration of our application.

Sincerely,

for 

R. Blain Lawson
General Manager and Chief Executive Officer
BC Liquor Distribution Branch

Attachments:

1. BC Cannabis Stores – PowerPoint
2. Completed Cannabis Retail Store Application

ATTACHMENT F
AERIAL PHOTO



N
▲

★ Proposed CRS Location

□ Subject Property

REZONING APPLICATION NO. RA000408

CITY OF NANAIMO

BYLAW NO. 4500.143

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.143".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT A, Sections 3 and 5, WELLINGTON DISTRICT, PLAN VIP60825 (3200 Island Highway North) to allow Cannabis Retail Store as a site-specific use within the City Commercial Centre (CC3) Zone, as shown on Schedule A.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

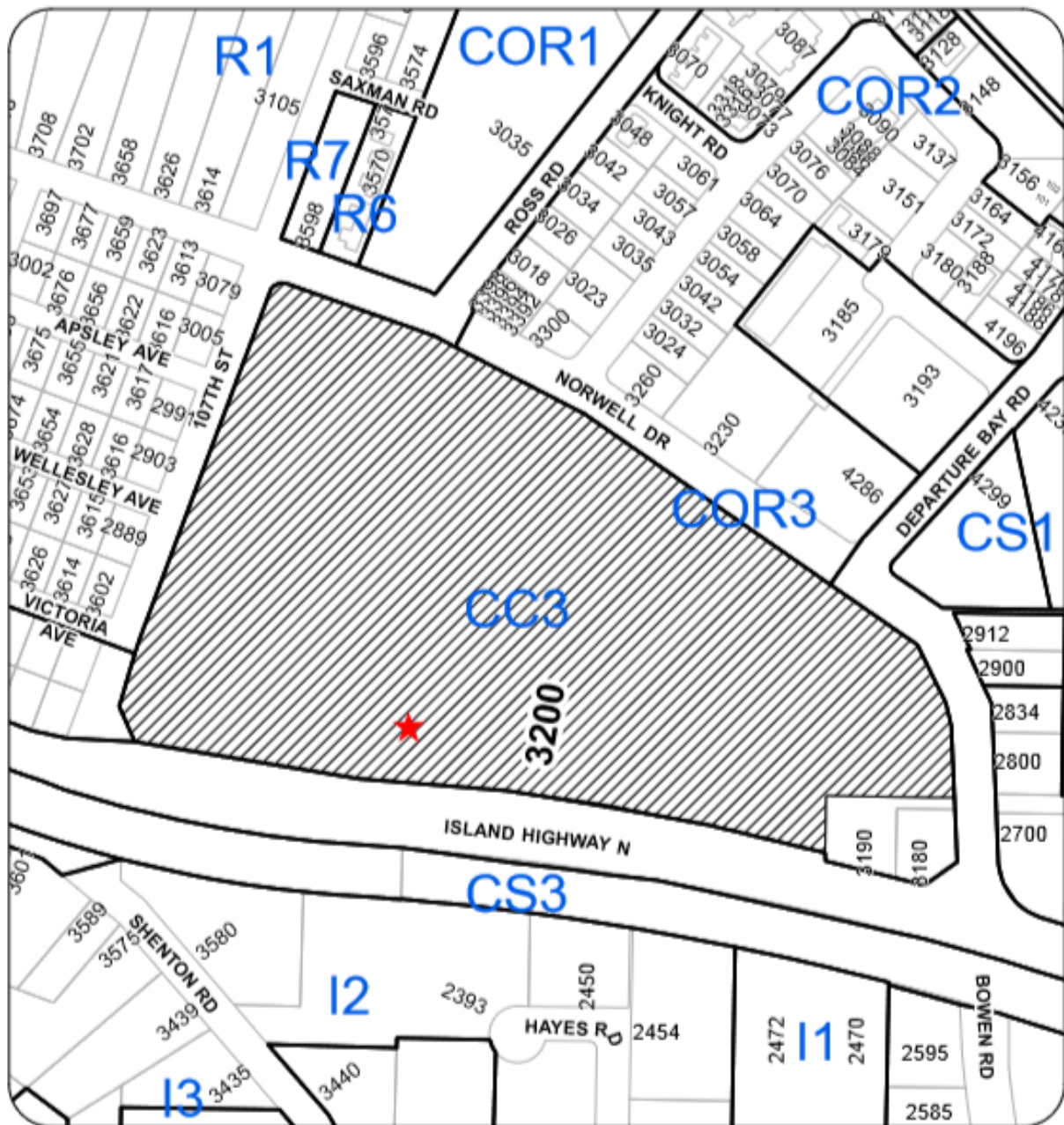
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000408
Address: 3200 Island Highway North

LOCATION PLAN



REZONING APPLICATION NO. RA000408

LOCATION PLAN



Proposed CRS Location



Subject Property

Civic: 3200 ISLAND HIGHWAY N
Legal: LOT A, SECTION 3 & 5
WELLINGTON DISTRICT, PLAN VIP60825

DATE OF MEETING | May 27, 2019 |

AUTHORED BY | DAVE STEWART, PLANNER, CURRENT PLANNING |

SUBJECT | **REZONING APPLICATION NO. RA418 – 52 VICTORIA CRESCENT** |

OVERVIEW

Purpose of Report

To present Council with an application to amend the existing zoning of the property located at 52 Victoria Crescent to allow “Cannabis Retail Store” as a site-specific use in the Terminal Avenue (DT4) zone.

Recommendation

That:

1. “Zoning Amendment Bylaw 2019 No. 4500.144” (To rezone 52 Victoria Crescent to allow “Cannabis Retail Store” as a site-specific use in the Terminal Avenue [DT4] zone) pass first reading;
2. “Zoning Amendment Bylaw 2019 No. 4500.144” pass second reading; and
3. Council direct Staff to secure the amenity contribution and BC Liquor and Cannabis Regulation Branch approval prior to adoption of the bylaw, should Council support the bylaw at third reading.

BACKGROUND

A rezoning application (RA418) was received for 52 Victoria Crescent from 1175932 BC Ltd., on behalf of Hogler Enterprises Ltd. The applicant proposes to amend the existing DT4 zone to allow “Cannabis Retail Store” as a site-specific use for the subject property.

The City of Nanaimo adopted amendments to “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) on 2018-SEP-17 and established a Cannabis Retail Store (CRS) Rezoning Criteria policy to consider future applications for CRS developments in anticipation of changing Federal and Provincial legislation. Following the enactment of new legislation to decriminalize cannabis consumption and legalize the retail sale and distribution of Provincially-licensed cannabis product, the City of Nanaimo began receiving CRS rezoning applications on 2018-OCT-22.

To date, nine other cannabis applications have been reviewed by Council:

#	Application No. #	Address	Status
1	RA406	111 Nicol Street	Received third reading on 2019-FEB-07
2	RA410	1599 Dufferin Crescent	Received third reading on 2019-APR-04
3	RA415	2220 Bowen Road	Received third reading on 2019-APR-04
4	RA411	25 Front Street	Received third reading on 2019-MAY-02

5	RA413	3923 Victoria Avenue	Received third reading on 2019-MAY-02
6	RA416	1483 Bowen Road	Received third reading on 2019-MAY-02
7	RA417	510 Fifth Street	Received third reading on 2019-MAY-02
8	RA407	6683 Mary Ellen Drive	Scheduled for public hearing on 2019-JUN-13
9	RA408	3200 Island Highway North	Scheduled for public hearing on 2019-JUN-13

In total, Staff have received 17 CRS rezoning applications to date.

Subject Property and Site Context

<i>Location</i>	The subject property is located within an established commercial building within the downtown core, between Albert Street and Nicol Street.
<i>Total Lot Area</i>	422m ²
<i>Current Zone</i>	DT4 - Terminal Avenue Zone
<i>Proposed Zone</i>	DT4 with site-specific “Cannabis Retail Store” use
<i>Official Community Plan (OCP) Designation</i>	Urban Node - Downtown
<i>Neighbourhood Plan Designation</i>	Nanaimo Downtown Plan - South Gate
<i>Proximity to nearest school</i>	Approximately 815m (<i>Ecole Pauline Haarer</i>)
<i>Proximity to nearest licensed daycare</i>	Approximately 295m (<i>Jolly Giant Childcare on Selby Street</i>)
<i>Proximity to nearest CRS</i>	Approximately 300m from proposed CRS at 350 Terminal Avenue (not yet reviewed by Council) 439m from proposed CRS at 111 Nicol Street (received third reading)

The subject property is located on the north side of Victoria Crescent within the downtown core. The store entrance will face Victoria Crescent, with the building backing onto Shaw Lane. Surrounding uses include two smoking paraphernalia stores, nightclubs, restaurants, offices (Input Cowork), and other retail uses. A 60-unit multiple-family development (30 Cavan Street) exists across the street from the subject property.

DISCUSSION

Proposed Development

The applicant is proposing to rezone the subject property to allow “Cannabis Retail Store” use in addition to the existing DT4 permitted uses. While the DT4 zone allows “retail” as a permitted use, a CRS requires site-specific rezoning.

The proposed business hours are Monday to Saturday 10:30 a.m. to 7:30 p.m. and Sunday 11 a.m. to 6 p.m. The proposed retail floor area will be approximately 102m².

Provincial Licensing Requirements

The City was advised by the BC Liquor and Cannabis Regulation Branch (LCRB) that an application for a non-medical cannabis retail licence has been made for the subject property.

As part of the LCRB's review, the branch determines if the applicant is "fit and proper" to receive a licence, in accordance with Section 23(1) of the *Cannabis Act* (Bill 30), based on indicators such as financial integrity and security screening. The LCRB will advise the City of the results of the "fit and proper" assessment.

The LCRB will not proceed with a licensing application unless the local government submits a positive recommendation to the LCRB indicating that the proposed CRS use is permitted.

Official Community Plan

The Official Community Plan (OCP) designates the subject property as Urban Node - Downtown Centre. The OCP does not address CRS use specifically, but the Downtown Centre Urban Node land-use designation supports retail uses and encourages a diversity of commercial, professional, and residential uses. The proposed CRS generally complies with the intent of the Urban Node land-use designation.

Cannabis Retail Store Rezoning Criteria

The following table summarizes how the proposed rezoning addresses the Cannabis Retail Store Rezoning Criteria adopted by Council on 2018-SEP-17, which are intended to inform Council's consideration of the rezoning application:

Criteria		Response
Location		
1.1	The proposed CRS should be located on, or in close proximity to a provincial highway, urban arterial or urban major collector road, as defined in the City's Functional Road Classification Working Plan; or in an Urban Node, Commercial Centre or Corridor as designated in the City's Official Community Plan.	The subject property is located on Victoria Crescent, which is considered a commercial road. The property is within the Downtown Centre Urban Node land-use designation.
1.2	The proposed CRS should not be located directly adjacent, or in close proximity to a school or licensed daycare facility. A minimum separation of 200m from these facilities is considered necessary, as measured from the front door of the CRS to the school or daycare property line.	<p>The proposed CRS is located more than 200m from any licensed daycares or schools, with the nearest school (Ecole Pauline Haarer Elementary – 400 Campbell Street) located approximately 815m away, and the nearest daycare (Jolly Giant Childcare – 436 Selby Street) approximately 295m away.</p> <p>The applicant was referred to the School District 68 and Island Health (Community Care and Licensing). They have both confirmed they have no concerns with the proposed rezoning.</p>

1.3.	The proposed CRS should not be located within 200m of another CRS as measured from the front doors of the CRS. Where the CRS is to be located within a dense urban area (i.e. downtown), consideration shall be given to the overall urban density and context of the area.	The proposed CRS is more than 200m from another proposed CRS location. The nearest proposed CRS to date (350 Terminal Avenue) is located approximately 300m away and is awaiting Council review.
Building or Site		
2.1.	The size of the proposed CRS should be consistent with the nature of the immediate area and the size of existing retail stores within the area.	The proposed CRS will be located within an existing commercial unit, and the size of the CRS is consistent with other commercial units in the downtown area.
2.2.	The design of the proposed CRS should enhance or improve the aesthetics of the surrounding area, not detract from them.	The proposed CRS will be located within an existing building with no major exterior improvements proposed.
2.2.1.	The revitalization of heritage buildings is encouraged.	The proposed CRS is located within Heritage Conservation Area 1 as designated by the OCP, but is not located on the Heritage Register or considered a heritage building.
2.3.	Outside the downtown core, consideration should be given to a requirement for onsite parking and loading for every CRS.	The subject property is located within the downtown core; onsite parking is not required. Three parking spaces are provided onsite at the rear of the building with access from Shaw Lane, plus additional public parking adjacent to Shaw Lane.
Community Impact		
3.1.	The applicant must outline their awareness of potential negative impacts of the proposed CRS on the community, and must identify the specific measures that will be taken to minimize or prevent these impacts from occurring.	The applicant has provided a community impact statement (Attachment E) indicating how they plan to address loitering, smoking in prohibited areas, and aggressive or impaired customers.
3.1.1.	Possible measures could include efforts to prevent service to minors, minimize smells, prevent smoking or cannabis consumption on or near the premises, property maintenance and beautification programs designed to prevent unsightliness, etc.	Measures to address and mitigate community concern: <ul style="list-style-type: none"> • Limiting store hours to no later than 7 p.m. (Monday-Saturday) and 6 p.m. on Sundays to avoid conflict with potentially impaired nightclub patrons; • Posting smoking regulations within the store; • Installing an air filtration system within the product storage room; and • Reporting loitering to private security within the area, and illegal activity or aggressive behavior to the RCMP.

	<p>The Community Policing Office and Victoria Crescent Bylaw Services office is approximately 30m from the subject property.</p>
<p>3.1.2 Consideration must be given to the impact a CRS will have when they are located in close proximity to libraries, public recreation centres, public community centres, parks, places of worship, and other family-oriented facilities.</p>	<p>The subject property is located within walking distance of a number of small downtown parks, including:</p> <ul style="list-style-type: none"> • The Italian Fountain at Port Place Mall (approximately 40m); • Pioneer Square Park (green space between Victoria Crescent, Esplanade, and Nicol Streets) (approximately 70m); • Piper Park (military museum location) (approximately 133m); • Nob Hill Park (approximately 215m); and • The Nanaimo Harbour - Bastion Square Park/Anchor Way Park (approximately 254m). <p>The subject property is also approximately 250m from the downtown library and Diana Krall Plaza.</p> <p>Overall, downtown Nanaimo supports family-oriented facilities and public spaces, and a wide range of commercial uses, including liquor primary establishments. Staff consider the proposed CRS to be in keeping with the mix of commercial uses in the downtown area.</p>
<p>3.2. Projected traffic volumes and on-street parking demands associated with a proposed CRS should not adversely impact nearby residential and commercial areas.</p>	<p>The proposed CRS is located within the Downtown-Specified Area and will not require parking for the proposed commercial use.</p> <p>The proposed CRS is not expected to negatively impact traffic volumes.</p>
<p>3.3. The support of the local community, neighbouring property owners and the local neighbourhood association for the proposed CRS is important to Council's decision.</p>	<p>A referral request was sent to the Victoria Crescent Business Association.</p> <p>No response has been received to date.</p>
<p>3.3.1. The applicant is required to notify all neighbouring property owners within 200m of the subject property of the rezoning application, prior to the application proceeding to Council.</p>	<p>The applicant completed notification of the neighbouring properties as outlined in the policy. Development proposal signs have been placed on the property, and if Council gives first and second reading to "Zoning Amendment Bylaw 2019 No. 4500.144", the application will proceed to public hearing.</p>

<p>3.4. All CRS rezoning applications must be reviewed by the Community Vitality Committee and the RCMP, in addition to being reviewed by the City's Community Planning and Development Committee</p>	<p>The RCMP have reviewed the proposal and indicated they have no comment.</p> <p>New Council committees have yet to be established; therefore, committee review has not taken place.</p>
---	---

Staff support the proposed rezoning, which is in keeping with the mix of commercial uses in the downtown area, and consider the application to be substantially in compliance with the City's Cannabis Retail Store Rezoning Criteria policy.

Community Contribution

The applicant proposes a monetary contribution of \$10,000 to be directed towards a community grant to support substance and addictions treatment programs.

Conditions of Rezoning

Should Council support this application and pass third reading of "Zoning Amendment Bylaw 2019 No. 4500.144", Staff recommend the following items be secured prior to final adoption of the Bylaw:

1. *Community Contribution* – a monetary contribution of \$10,000 to be directed towards a community grant to support substance and addictions treatment programs.
2. *LCRB Approval* - Confirmation from the LCRB that it has approved the applicant's suitability for a cannabis retail licence.

SUMMARY POINTS

- A rezoning application has been received to allow Cannabis Retail Store as a site-specific permitted use within an existing commercial building in the DT4 Terminal Avenue zone for the subject property located at 52 Victoria Crescent.
- The Provincial Liquor and Cannabis Regulation Branch is reviewing the licensing application for this proposal.
- The proposed rezoning is in keeping with the mix of commercial uses in the downtown area and substantially complies with the Cannabis Retail Store Rezoning Criteria.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: School and Licensed Daycare Buffer Map
ATTACHMENT C: Site Plan
ATTACHMENT D: Proposed Floor Plans
ATTACHMENT E: Letter of Rationale / Community Impact Statement
ATTACHMENT F: Aerial Photo
“Zoning Amendment Bylaw 2019 No. 4500.144”
|

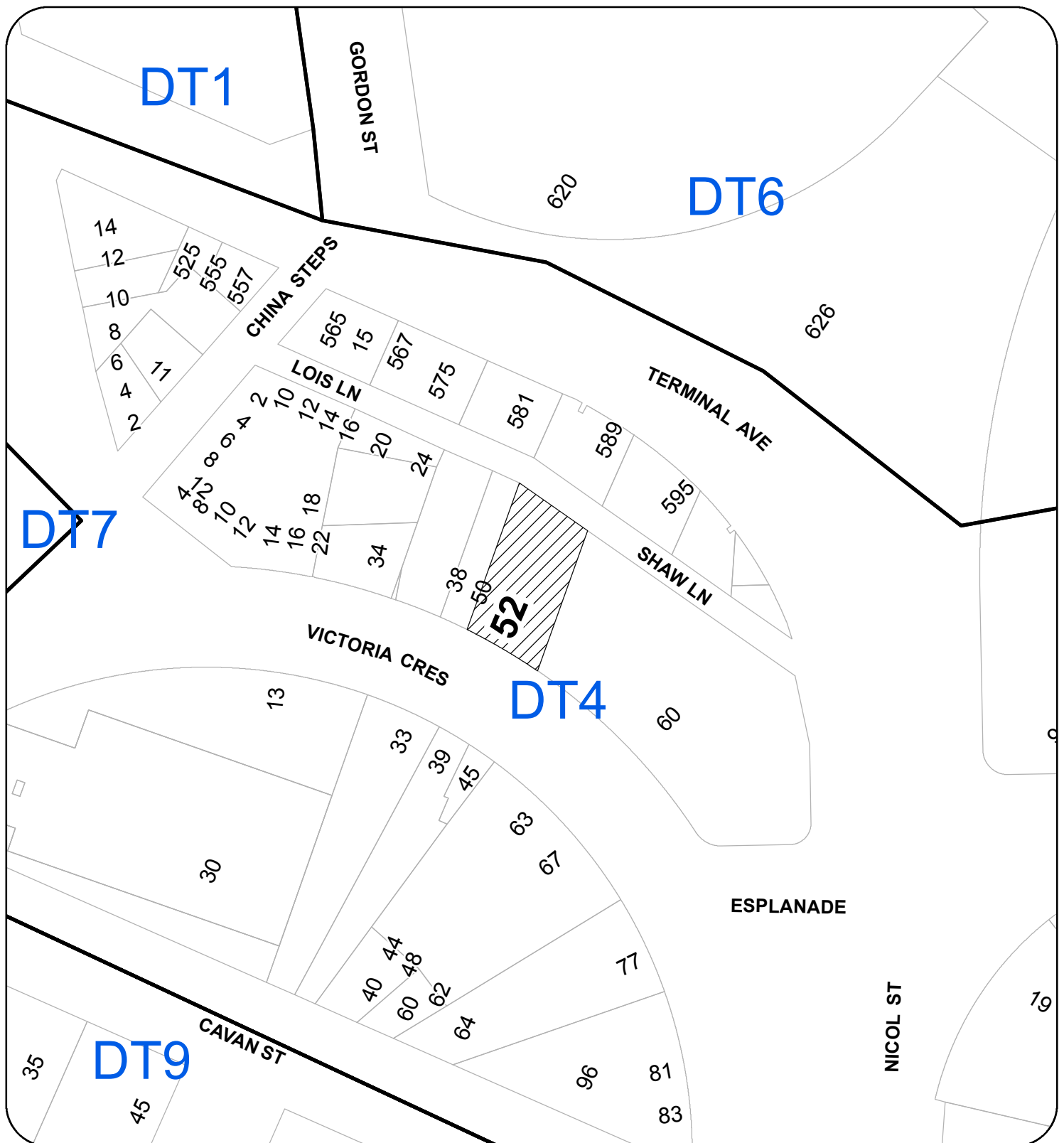
Submitted by:

L. Rowett,
Manager, Current Planning|

Concurrence by:

D. Lindsay
Director, Community Development|

ATTACHMENT A
LOCATION PLAN



REZONING APPLICATION NO. RA000418

LOCATION PLAN

Civic: 52 VICTORIA CRESCENT

Legal: LOT 3, SITUATE IN COMMERCIAL INLET IN THE BED OF
THE PUBLIC HARBOUR OF NANAIMO AND OF SECTION 1
NANAIMO DISTRICT, PLAN 9893

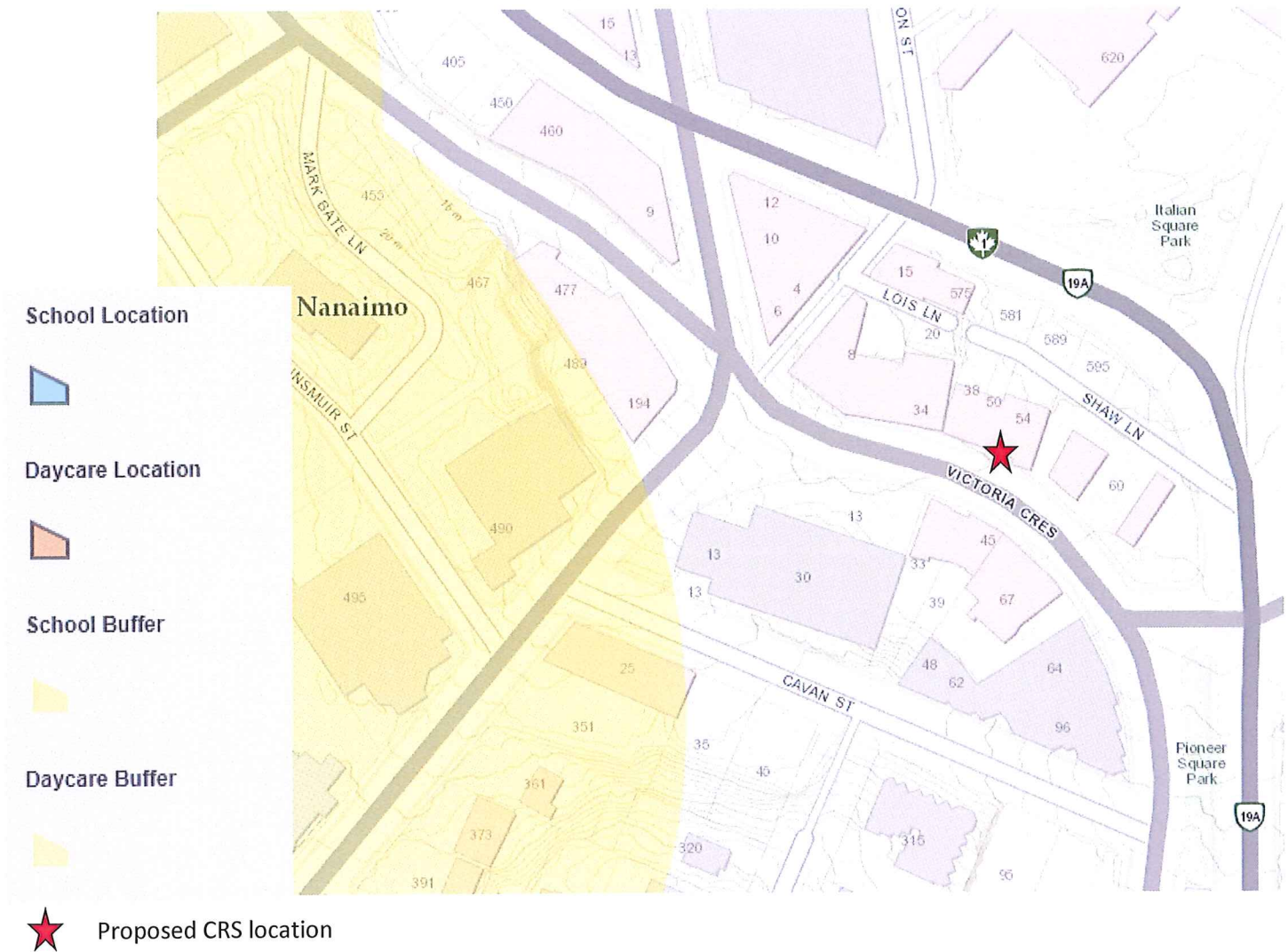


Subject Property

ATTACHMENT B SCHOOL AND LICENCED DAYCARE BUFFER MAP

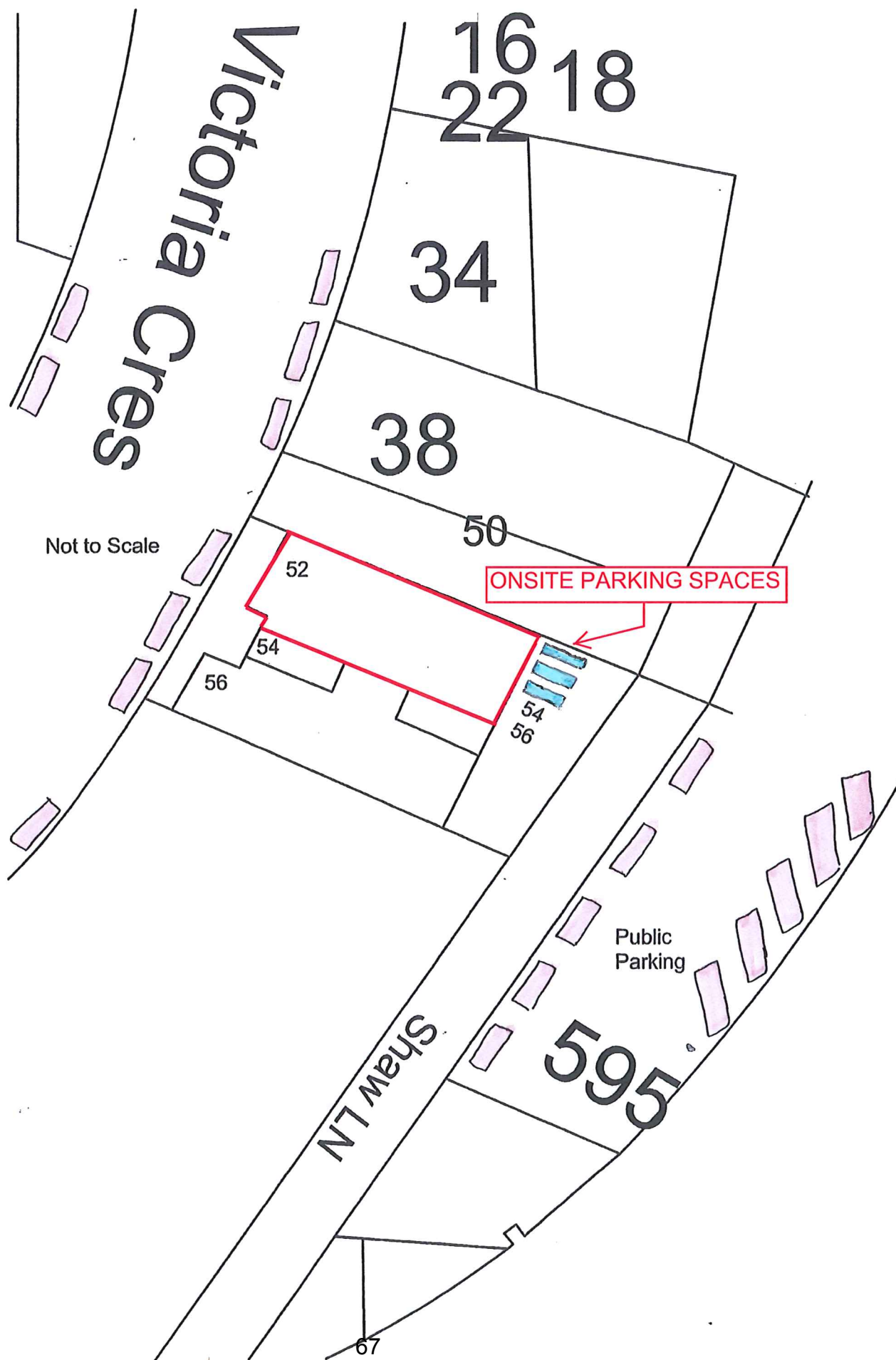
School and Daycare Buffer Map

RA418- 52 Victoria Crescent



arking Plan
75932

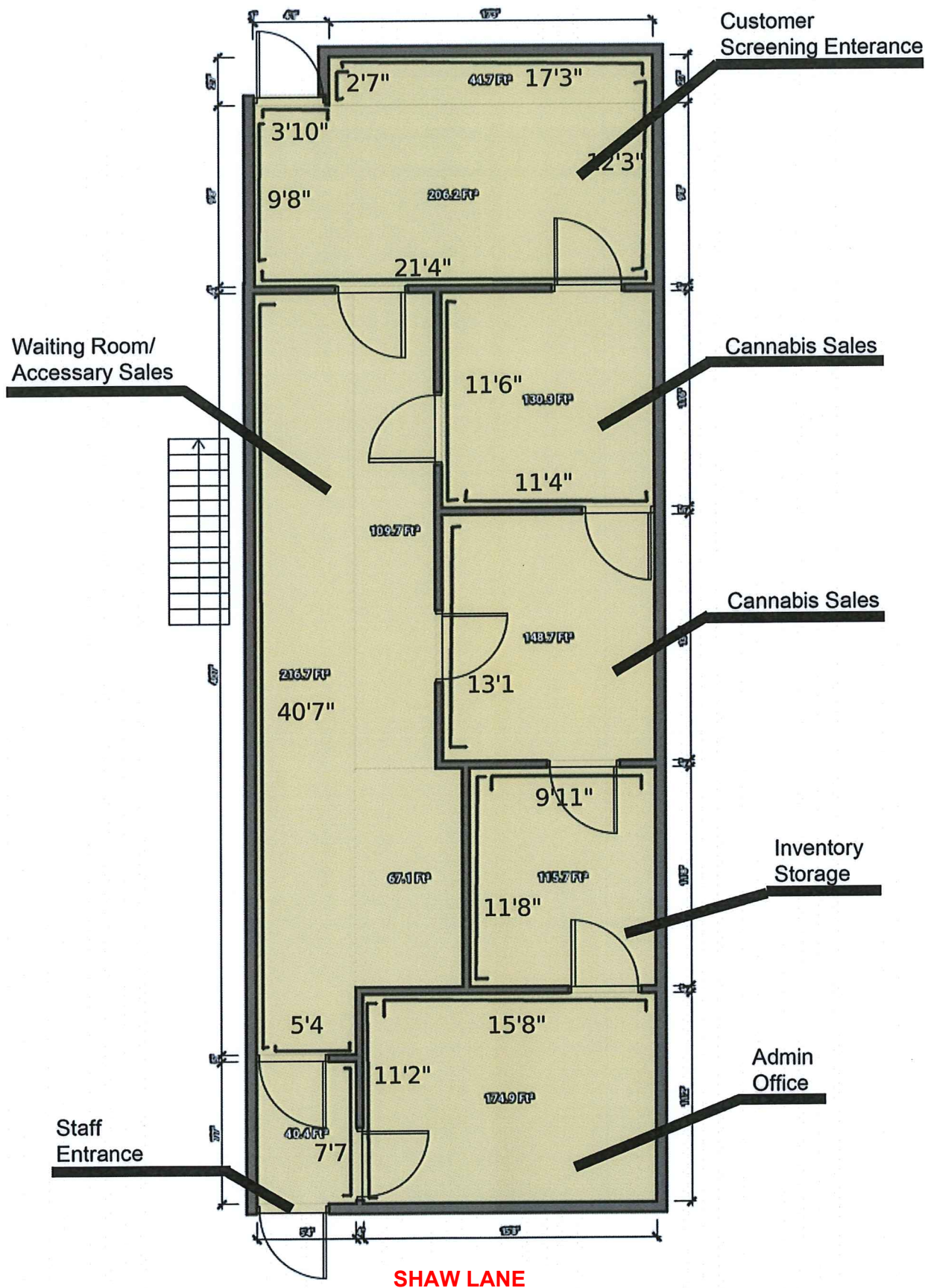
ATTACHMENT C
SITE PLAN



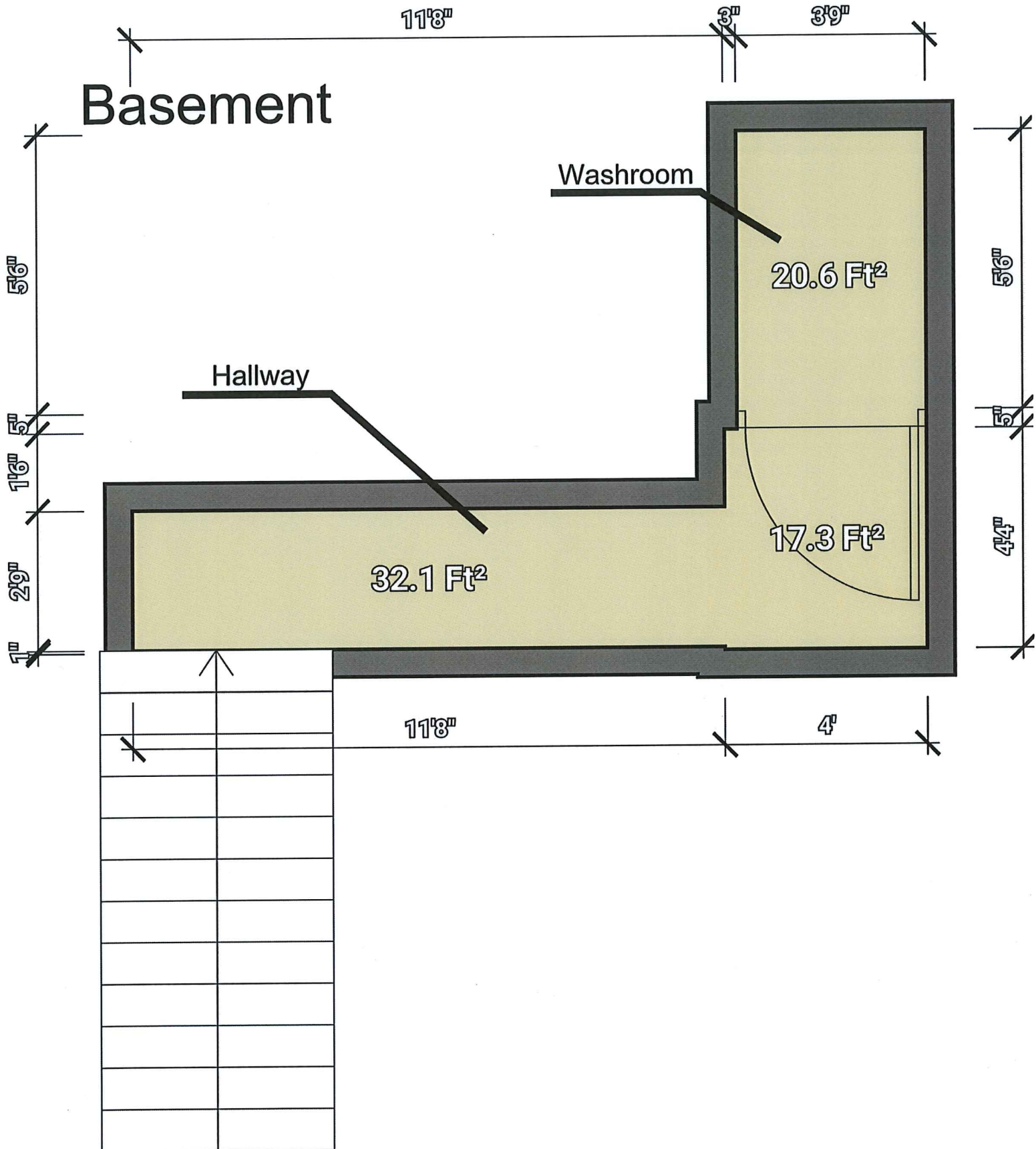
Main Floor

ATTACHMENT D PROPOSED FLOOR PLANS

VICTORIA CRESCENT



Basement



1175932
Clifford Wiltshire
52 Victoria Crescent
Nanaimo BC

**ATTACHMENT E
LETTER OF RATIONALE /
COMMUNITY IMPACT STATEMENT**

Community Impact Control

Impaired patrons coming into the store from the surrounding area

In anticipation of any intoxicated and/or impaired patrons entering the store we will cut off our store hours before the night clubs start up. Our store hours will be; Mon-Sat 10:30am-7:00pm & Sun 11:00am-6:00pm. We expect we will get minimal conflicts.

Possible Loitering around area

To effectively deal with any loitering issues we will have an emergency contact list on hand as well as footprints security on speed dial.

Underage peoples in store/Patrons trying to enter without valid I.D

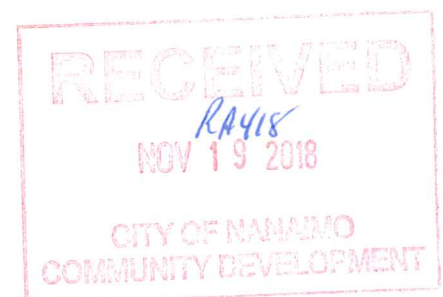
The store has been expertly designed to efficiently screen all walk-ins before they can get close enough to even see any cannabis and/or accessories. We will ask for I.D from every member every time they enter the store. We will pride ourselves on not letting any youth into the store.

Customers smoking recently purchased cannabis in banned areas

To avoid any customers smoking their recently purchased cannabis in any nearby banned areas we will have smoking regulations posted in-store for them to see and we will educate all patrons as general protocol. We will help our surrounding community by urging all people to consume in a private and polite manner.

Aggressive Behavior

To prepare for any possible aggressive behavior all staff will be armed with panic buttons. We will have security cameras and motion sensors on site. We don't anticipate problems considering the RCMP Detach is nearby. We often keep an eye out on the Victoria Crescent Street to watch for any altercations or suspicious behaviour. One of our goals is to help our community stay safe.



1175932
Clifford Wiltshire
52 Victoria Crescent
Nanaimo BC

Parking Overflow

There are several parking spots adjacent to the store available on Victoria Crescent with the current demand during proposed business hours extremely low. Additional parking is available off Shaw Lane to meet all parking demands. The current demand for this parking space is extremely low. In addition to this, there are two private parking spots on site.

ATTACHMENT F
AERIAL PHOTO



REZONING APPLICATION NO. RA000418

CITY OF NANAIMO

BYLAW NO. 4500.144

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.144".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 3, SITUATE IN COMMERCIAL INLET IN THE BED OF THE PUBLIC HARBOUR OF NANAIMO AND OF SECTION 1, NANAIMO DISTRICT, PLAN 9893 (52 Victoria Crescent) to allow Cannabis Retail Store as a site-specific use within the Terminal Avenue (DT4) Zone, as shown on Schedule A.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

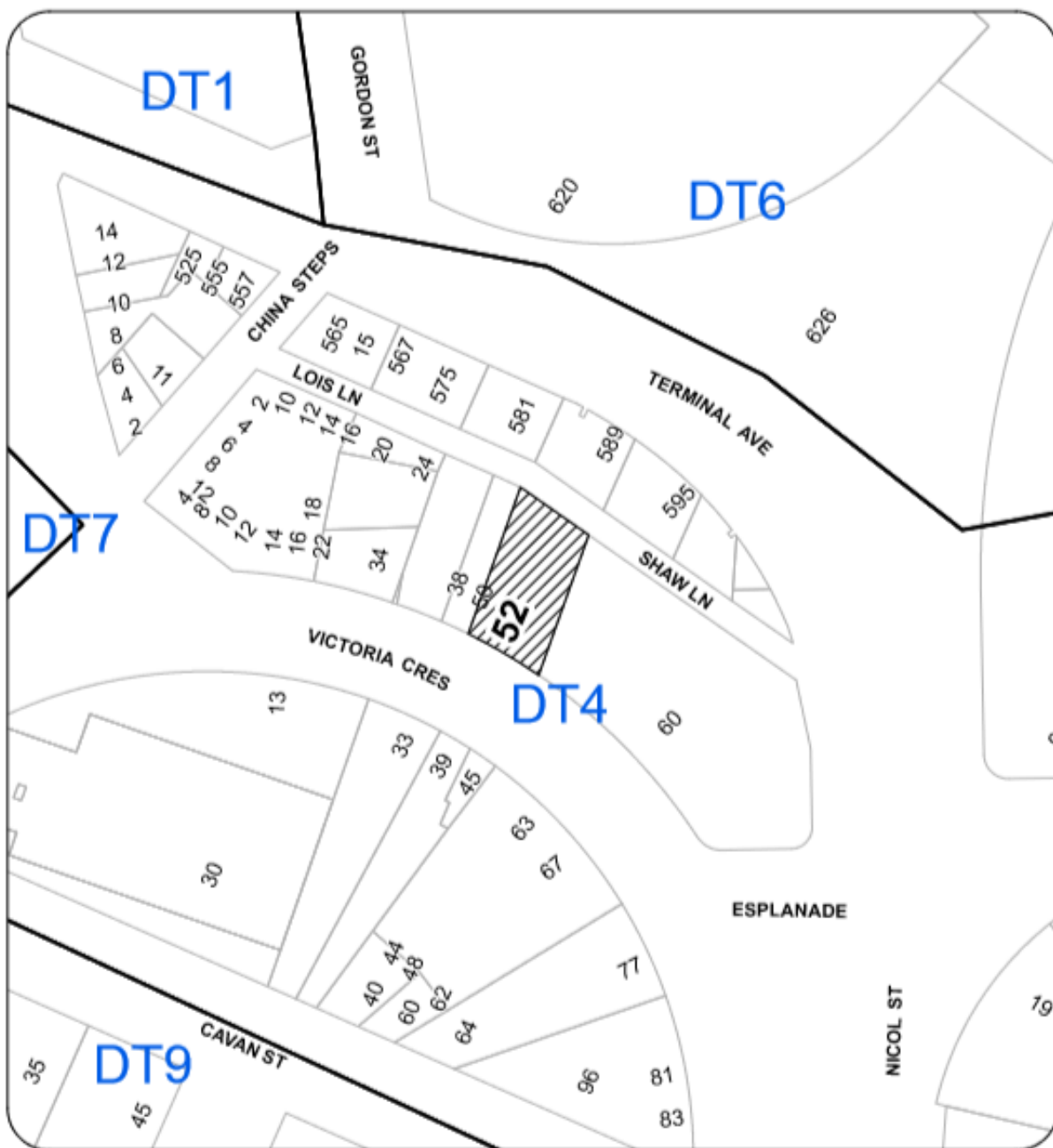
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000418
Address: 52 Victoria Crescent

SCHEDULE A LOCATION PLAN



REZONING APPLICATION NO. RA000418 LOCATION PLAN

Civic: 52 VICTORIA CRESCENT
Legal: LOT 3, SITUATE IN COMMERCIAL INLET IN THE BED OF
THE PUBLIC HARBOUR OF NANAIMO AND OF SECTION 1
NANAIMO DISTRICT, PLAN 9893

DATE OF MEETING | May 27, 2019 |

AUTHORED BY | DAVE STEWART, PLANNER, CURRENT PLANNING |

SUBJECT | **REZONING APPLICATION NO. RA420 – 140 TERMINAL AVENUE** |

OVERVIEW

Purpose of Report

To present Council with an application to amend the existing zoning of the property located at 140 Terminal Avenue to allow “Cannabis Retail Store” as a site-specific use in the Terminal Avenue (DT4) zone.

Recommendation

That:

1. “Zoning Amendment Bylaw 2019 No. 4500.145” (To rezone 140 Terminal Avenue to allow “Cannabis Retail Store” as a site-specific use in the Terminal Avenue [DT4] zone) pass first reading;
2. “Zoning Amendment Bylaw 2019 No. 4500.145” pass second reading; and
3. Council direct Staff to secure the amenity contribution and BC Liquor and Cannabis Regulation Branch approval prior to adoption of the bylaw, should Council support the bylaw at third reading.

BACKGROUND

A rezoning application (RA420) was received for 140 Terminal Avenue from Jeffery R. Horricks, on behalf of 0806305 BC Ltd. The applicant proposes to amend the existing DT4 zone to allow “Cannabis Retail Store” as a site-specific use for the subject property.

The City of Nanaimo adopted amendments to “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) on 2018-SEP-17 and established a Cannabis Retail Store (CRS) Rezoning Criteria policy to consider future applications for CRS developments in anticipation of changing Federal and Provincial legislation. Following the enactment of new legislation to decriminalize cannabis consumption and legalize the retail sale and distribution of Provincially-licensed cannabis product, the City of Nanaimo began receiving CRS rezoning applications on 2018-OCT-22.

To date, nine other cannabis applications have been reviewed by Council:

#	Application No. #	Address	Status
1	RA406	111 Nicol Street, Unit 115	Received third reading on 2019-FEB-07
2	RA410	1599 Dufferin Crescent	Received third reading on 2019-APR-04
3	RA415	2220 Bowen Road	Received third reading on 2019-APR-04
4	RA411	25 Front Street	Received third reading on 2019-MAY-02

5	RA413	3923 Victoria Avenue	Received third reading on 2019-MAY-02
6	RA416	1483 Bowen Road	Received third reading on 2019-MAY-02
7	RA417	510 Fifth Street	Received third reading on 2019-MAY-02
8	RA407	6683 Mary Ellen Drive	Scheduled for Public Hearing on 2019-JUN-13
9	RA408	3200 Island Highway North	Scheduled for Public Hearing on 2019-JUN-13

In total, Staff have received 17 CRS rezoning applications to date.

Subject Property and Site Context

<i>Location</i>	140 Terminal Avenue, is a small shopping centre on the east side of Terminal Avenue within the downtown core.
<i>Total Lot Area</i>	5,510m ²
<i>Current Zone</i>	DT4- Terminal Avenue Zone
<i>Proposed Zone</i>	DT4 with site-specific “Cannabis Retail Store” use
<i>Official Community Plan (OCP) Designation</i>	Downtown Centre Urban Node
<i>Neighbourhood Plan Designation</i>	Nanaimo Downtown Plan – Terminal Parkway
<i>Proximity to nearest school</i>	Approximately 235m (<i>École Pauline Haarer</i>)
<i>Proximity to nearest licensed daycare</i>	Approximately 400m (<i>Katie’s Korner – Wesley Street</i>)
<i>Proximity to nearest CRS</i>	Approximately 88m from proposed CRS at 111 Terminal Avenue (RA422).

The proposed CRS will be located within an existing shopping centre (City Centre Plaza) within the downtown. The subject property is surrounded on all four sides by roads, with frontage on Terminal Avenue (west), Cliff Street (east), Campbell Street (north), and Wentworth Street (south). Access to the property is available from Terminal Avenue (right-in/right-out), Cliff Street, and Campbell Street. Other tenants on the property include: Lordco Parts Ltd., Sprott Shaw College, H&R Block tax office, and Canada Post. Neighbouring land uses around the subject property are predominately retail, service, and auto-oriented commercial.]

DISCUSSION

Proposed Development

The applicant is proposing to rezone the subject property to allow “Cannabis Retail Store” use in addition to the existing DT4 zone permitted uses. While the DT4 zone allows “retail” as a permitted use, a CRS requires site-specific rezoning.

The proposed business hours are 10 a.m. to 10 p.m. Monday to Saturday and 11 a.m. to 8 p.m. on Sunday. The proposed retail floor area will be approximately 125m² within an existing commercial unit.

Provincial Licensing Requirements

The City was advised by the BC Liquor and Cannabis Regulation Branch (LCRB) that an application for a non-medical cannabis retail licence has been made for the subject property.

As part of the LCRB's review, the branch determines if the applicant is "fit and proper" to receive a licence, in accordance with Section 23(1) of the *Cannabis Act* (Bill 30), based on indicators such as financial integrity and security screening. The LCRB will advise the City of the results of the "fit and proper" assessment.

The LCRB will not proceed with a licensing application unless the local government submits a positive recommendation to the LCRB indicating that the proposed CRS use is permitted.

Official Community Plan

The Official Community Plan (OCP) designates the subject property as Downtown Centre Urban Node. The OCP does not address CRS use specifically, but the land-use designation supports retail uses and encourages a diversity of commercial, professional, and residential uses. The proposed CRS generally complies with the intent of the Urban Node land-use designation.

Cannabis Retail Store Rezoning Criteria

The following table summarizes how the proposed rezoning addresses the Cannabis Retail Store Rezoning Criteria adopted by Council on 2018-SEP-17, which are intended to inform Council's consideration of the rezoning application:

Criteria		Response
Location		
1.1	The proposed CRS should be located on, or in close proximity to a provincial highway, urban arterial or urban major collector road, as defined in the City's Functional Road Classification Working Plan; or in an Urban Node, Commercial Centre or Corridor as designated in the City's Official Community Plan.	The subject property is located within the Downtown Centre Urban Node land-use designation, and is located on a provincial highway.
1.2	The proposed CRS should not be located directly adjacent, or in close proximity to a school or licensed daycare facility. A minimum separation of 200m from these facilities is considered necessary, as measured from the front door of the CRS to the school or daycare property line.	<p>The proposed CRS is located more than 200m from any licensed daycares or schools, with the nearest school (École Pauline Haarer Elementary – 400 Campbell Street) approximately 240m away and the nearest daycare (Katie's Korner ChildCare – 357 Wesley Street) approximately 400m away.</p> <p>The application was referred to School District No. 68 and Island Health (Community Care and Licensing) and they confirmed they have no concerns.</p>

1.3.	The proposed CRS should not be located within 200m of another CRS as measured from the front doors of the CRS. Where the CRS is to be located within a dense urban area (i.e. downtown), consideration shall be given to the overall urban density and context of the area.	The proposed CRS is located approximately 88m (across Terminal Avenue) from a proposed CRS at 111 Terminal Avenue (RA422). Both applications are included on the 2019-MAY-27 Council agenda; however, Staff note the rezoning application for the subject property was received 2019-NOV-29, before the rezoning application for 111 Terminal Avenue (received 2018-DEC-14).
Building or Site		
2.1.	The size of the proposed CRS should be consistent with the nature of the immediate area and the size of existing retail stores within the area.	The proposed CRS will be located within an existing commercial centre. The size of the CRS is consistent with other commercial units in the commercial centre and within the downtown area.
2.2.	The design of the proposed CRS should enhance or improve the aesthetics of the surrounding area, not detract from them.	The proposed CRS will be located within an existing building with only minor exterior improvements proposed. The proposed façade of the CRS is consistent with other units within the existing shopping centre and surrounding area.
2.2.1.	The revitalization of heritage buildings is encouraged.	The proposed CRS is located within Heritage Conservation Area 1 as designated by the OCP, but is not located on the Heritage Register or considered a heritage building.
2.3.	Outside the downtown core, consideration should be given to a requirement for onsite parking and loading for every CRS.	The subject property is located within the downtown core, and onsite parking is not required. The proposed CRS will be located within an existing commercial centre. Parking is provided on the property.
Community Impact		
3.1.	The applicant must outline their awareness of potential negative impacts of the proposed CRS on the community, and must identify the specific measures that will be taken to minimize or prevent these impacts from occurring.	The applicants have included a Letter of Rationale (Attachment F) that addresses community outreach programs sponsored by the applicant, including a non-profit opiate substitution program. The applicant has also noted that security staff and cameras will be provided, and staff and customers will be educated regarding cannabis and smoking regulations.
3.1.1.	Possible measures could include efforts to prevent service to minors, minimize smells, prevent smoking or cannabis consumption on or near the premises, property maintenance and beautification programs designed to prevent unsightliness, etc.	

<p>3.1.2 Consideration must be given to the impact a CRS will have when they are located in close proximity to libraries, public recreation centres, public community centres, parks, places of worship and other family-oriented facilities.</p>	<p>The proposed CRS is located approximately 268m from Maffeo Sutton Park, 305m from Comox Gyro Park (shared with Pauline Haarer School – 400 Campbell Street), approximately 160m from St. Paul's Anglican Church (100 Chapel Street) and Dallas Square Park, and approximately 400m from the downtown library and Diana Krall Plaza.</p> <p>Overall, downtown Nanaimo supports family-oriented facilities and public spaces, and a wide range of commercial uses, including liquor primary establishments. Staff consider the proposed CRS to be in keeping with the mix of commercial uses in the downtown area.</p>
<p>3.2. Projected traffic volumes and on-street parking demands associated with a proposed CRS should not adversely impact nearby residential and commercial areas.</p>	<p>The property is located within the Downtown Specified Area and does not require parking for the proposed commercial use.</p> <p>The subject property is accessed from a provincial highway as well two city streets. The use of the site as a cannabis retail store is not expected to negatively impact traffic volumes.</p>
<p>3.3. The support of the local community, neighbouring property owners and the local neighborhood association for the proposed CRS is important to Council's decision.</p>	<p>The subject property is not included within the boundaries of an active Neighborhood Association.</p>
<p>3.3.1. The applicant is required to notify all neighbouring property owners within 200m of the subject property of the rezoning application, prior to the application proceeding to Council.</p>	<p>The applicant completed notification of the neighbouring properties as outlined in the policy. A development proposal sign has been placed on the property and if Council gives first and second reading to the bylaw, the application will proceed to public hearing.</p>
<p>3.4. All CRS rezoning applications must be reviewed by the Community Vitality Committee and the RCMP, in addition to being reviewed by the City's Community Planning and Development Committee</p>	<p>The RCMP have reviewed the proposal and indicated they have no comment.</p> <p>New Council committees have yet to be established; therefore, committee review has not taken place.</p>

Staff support the proposed rezoning, which is in keeping with the mix of commercial uses in the downtown area and the existing shopping centre in which it is located. Staff consider the application to be substantially in compliance with the City's Cannabis Retail Store Rezoning Criteria policy.

Community Contribution

The applicant proposes a monetary contribution of \$10,000 be directed towards habitat restoration and riparian planting by the City along the Chase River.

Conditions of Rezoning

Should Council support this application and pass third reading of “Zoning Amendment Bylaw 2019 No. 4500.145”, Staff recommend the following items be secured prior to final adoption of the Bylaw:

1. *Community Contribution* – a monetary contribution of \$10,000 to be directed towards habitat restoration and riparian planting by the City along the Chase River.
2. *LCRB Approval* - Confirmation from the LCRB that it has approved the applicant’s suitability for a cannabis retail licence.

SUMMARY POINTS

- A rezoning application has been received to allow “Cannabis Retail Store” as a site-specific use within an existing commercial building within the DT4 zone for the subject property at 140 Terminal Avenue.
- The Provincial Liquor and Cannabis Regulation Branch is reviewing the licensing application for this proposal.
- The proposed rezoning substantially complies with the City of Nanaimo Cannabis Retail Store Rezoning Criteria.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: School and Licensed Daycare Buffer Map
ATTACHMENT C: Site Plan
ATTACHMENT D: Proposed Floor Plan
ATTACHMENT E: Building Elevation
ATTACHMENT F: Letter of Rationale / Community Impact Statement
ATTACHMENT G: Aerial Photo
“Zoning Amendment Bylaw 2019 No. 4500.145 |

Submitted by:

L. Rowett,
Manager, Current Planning

Concurrence by:

D. Lindsay
Director, Community Development

This map illustrates a residential neighborhood with several streets and numerous lots. The streets shown include Campbell St, Benson St, Chapel St, Skinner St, Terminal Ave, Fraser St, Cliffe St, Wentworth St, and Cliff St. The lots are numbered, with some lots having multiple numbers. Four Development Trusts (DTs) are designated: DT3, DT4, DT5, and DT1. DT4 is a large, hatched area bounded by Campbell St, Benson St, and Terminal Ave. DT3 is a large area bounded by Campbell St, Benson St, and Wentworth St. DT5 is a large area bounded by Benson St, Chapel St, and Skinner St. DT1 is a small area bounded by Benson St, Skinner St, and Wentworth St. The map also shows a large lot numbered 140, which is hatched and located between Campbell St and Terminal Ave.

CIVIC:140 TERMINAL AVENUE
LEGAL: LOT 1 SECTION 1 NANAIMO DISTRICT PLAN VIP62978



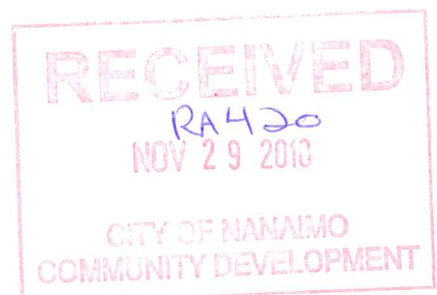
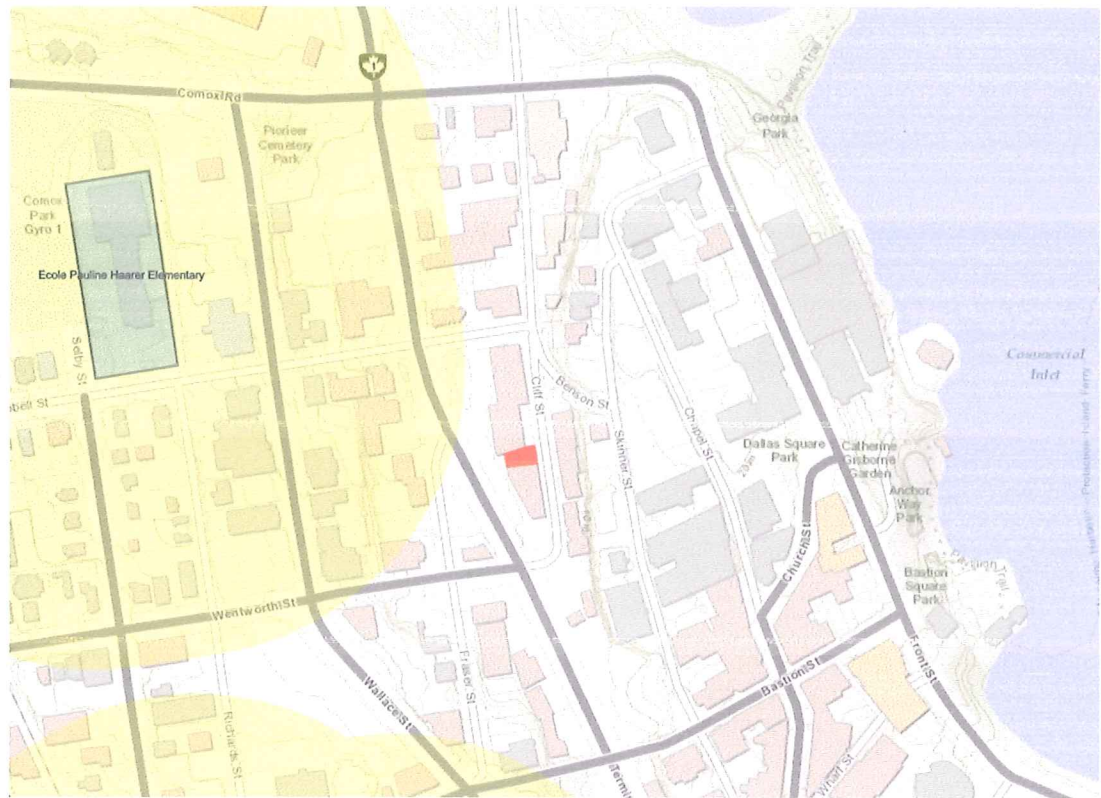
SUBJECT PROPERTY

ATTACHMENT B SCHOOL AND LICENSED DAYCARE BUFFER MAP

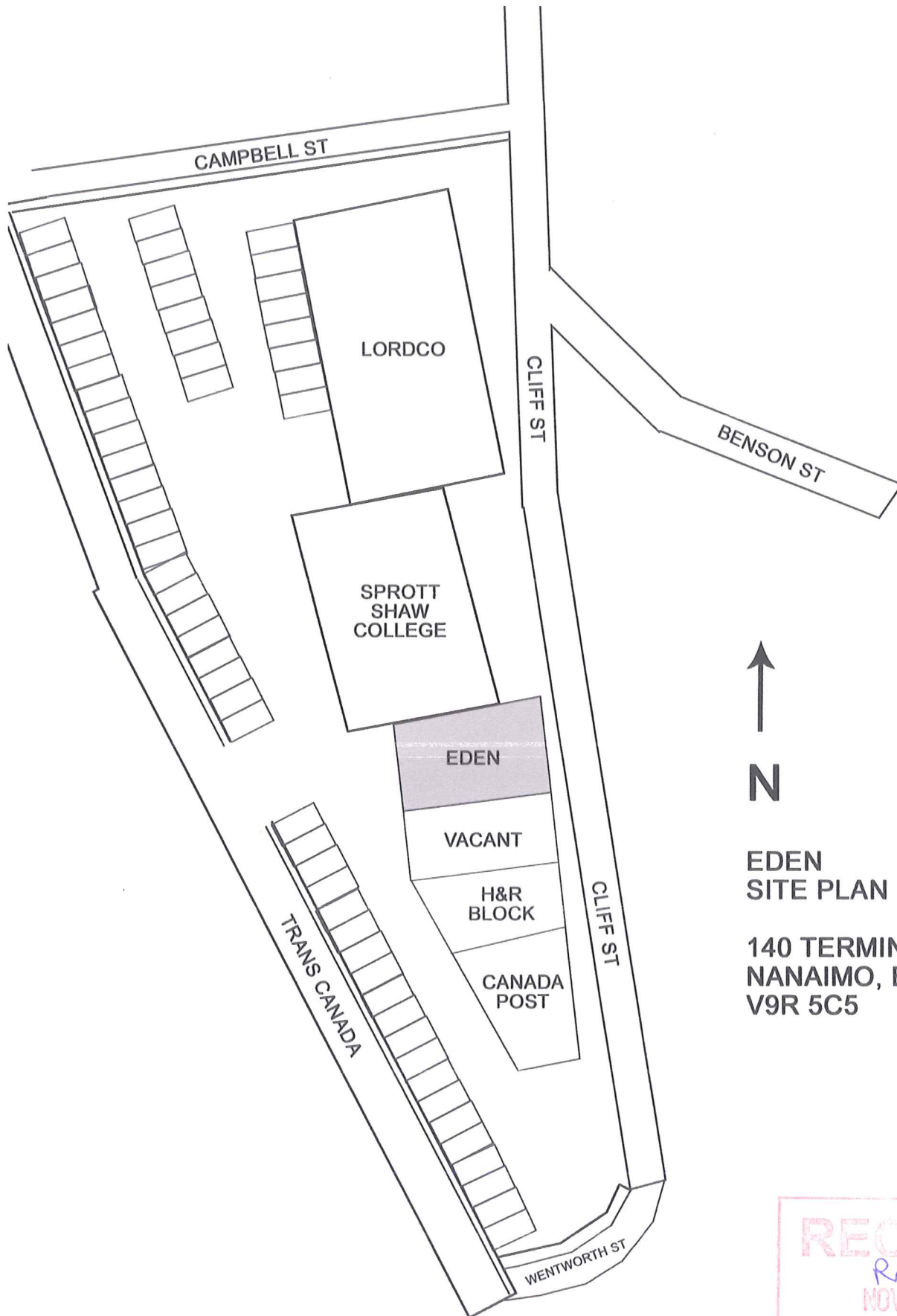
EDEN - AERIAL PLAN (200M BUFFER)
140 Terminal Ave
Nanaimo, BC
V9R 5C5

LEGEND

 EDEN STORE	 BUFFER ZONE
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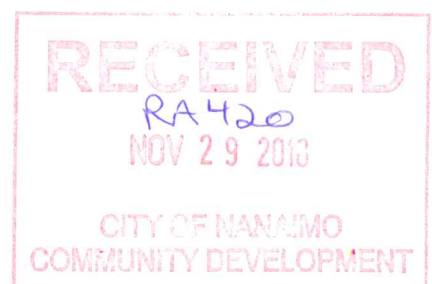


ATTACHMENT C
SITE PLAN

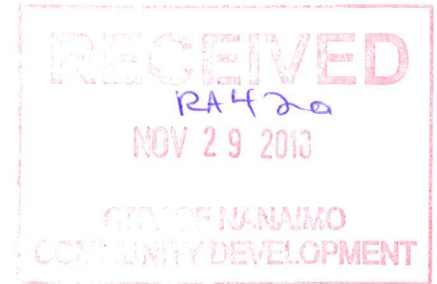
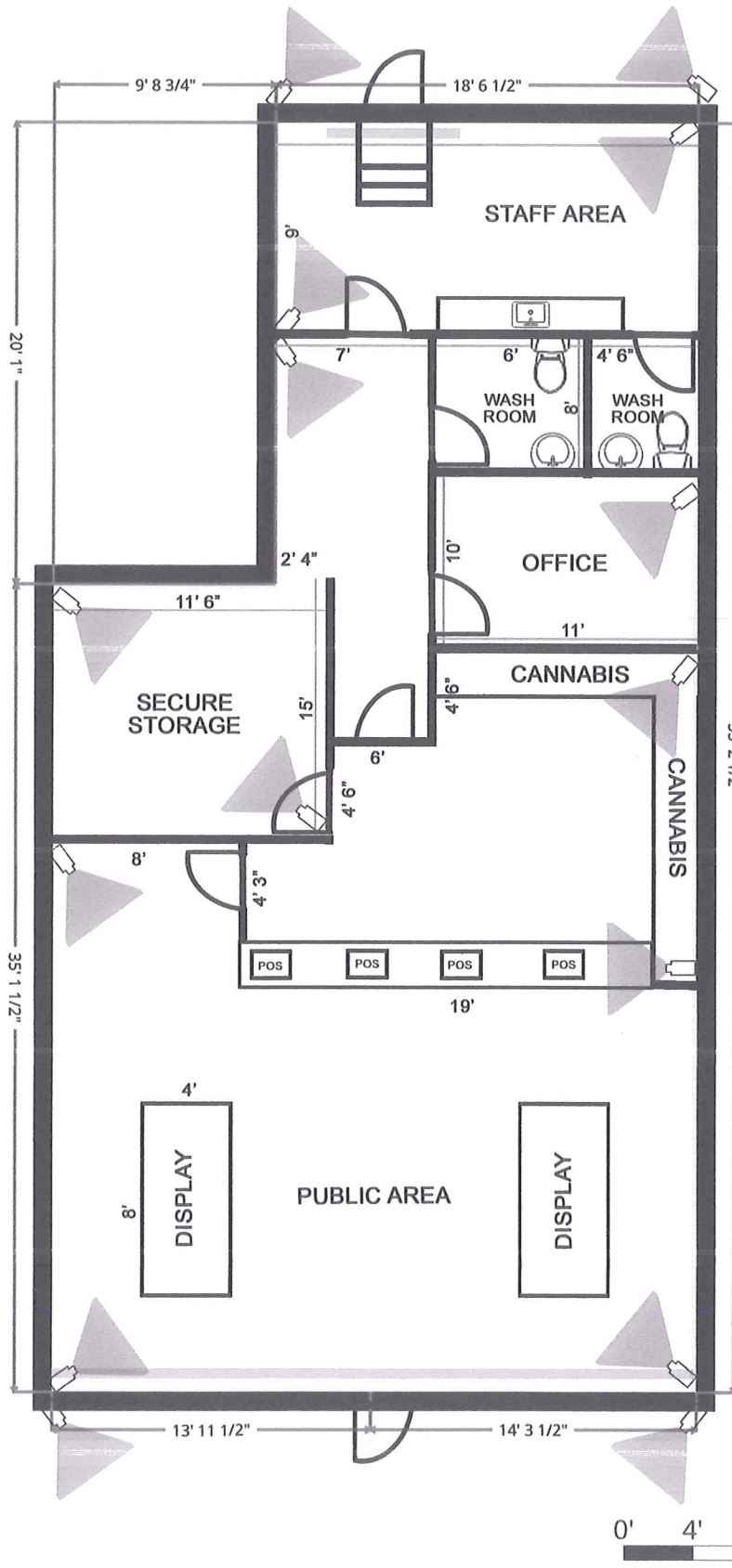


EDEN
SITE PLAN

140 TERMINAL AVE
NANAIMO, BC
V9R 5C5



ATTACHMENT D PROPOSED FLOOR PLAN



**EDEN
FLOOR PLAN**

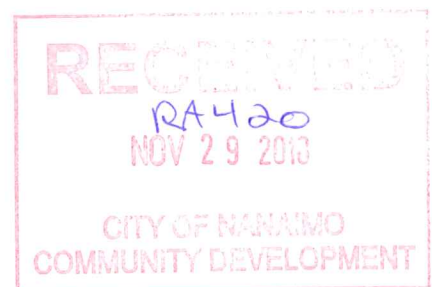
**140 TERMINAL AVE
NANAIMO, BC
V9R 5C5**

SECURITY GATE

**ATTACHMENT E
BUILDING ELEVATION**

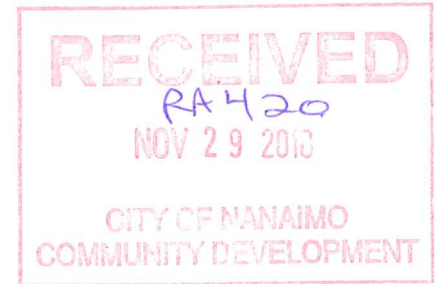
**EDEN
140 Terminal Ave
Nanaimo, BC
V9R 5C5**

SIGNAGE / STOREFRONT





Nanaimo City Hall
455 Wallace St
Nanaimo, BC
V9R 5J6



Eden's goal is to revolutionize the cannabis industry by employing fresh ideas built upon a strong foundation of knowledge and experience. We strive to maintain our position as an industry leader through the dissemination of reliable information to create a legacy of competence in providing quality assured cannabis products and customer service. We understand the intent behind the policies endorsed by the City of Nanaimo Council, and acknowledge that our adherence to these policies as being an essential part of Eden's journey through the federal legalization of recreational cannabis.

Eden's intention for this rezoning is to maintain a recreational cannabis store that both educates the community and provides quality assured cannabis products. We have been made aware that our proposed location is in close proximity to Ecole Pauline Haarer, and that our parking lot is currently within 200m of the school. The distance from the school's property line from our actual retail unit is 240m, as crow flies. The walking distance from the school's main entrance to the door of our proposed cannabis retail unit is 685m, with crossing Highway 1 at the lights at Comox Rd. However, we still believe Eden's contribution to the neighbourhood can outweigh the minor consequence of our proximity to the school for the following reasons.

Eden has proven to have a positive impact on the communities in which we operate. Eden has also organized numerous community outreach programs. Our non-profit Opiate Substitution Program was the subject of a study conducted by UBC and gained attention from numerous publications ranging from VICE to the Canadian Journal of Public Health.

While our competitors may see providing premium cannabis as being their sole business outcome, at Eden we seek to achieve more. All employees will attend a supplementary education program provided by Eden, in addition to the requisite provincial training. Our educational



Trust me, you'll like this.

Info@MyEden.ca

604-568-9337

3441 Kingsway, Vancouver, BC, V5R 5L3

training program will cover product knowledge, retail expertise, as well as legal and regulatory awareness. We emphasize the importance of providing compassionate service and acknowledge that to sell responsibly, all employees will need to be informed and educated with the most current knowledge on cannabis.

Customers will be able to ask questions, discuss and learn about the products, which will enable them to make an informed purchase best suited to their needs. We hope that customers will be able to recognize the educated difference in their retail experience at our stores. Lastly, security will play a fundamental role in our day to day operations. In order to ensure public safety and compliance with provincial and municipal rules, we will take financial responsibility for retaining a dedicated security team for monitoring our store location. This includes the placement of numerous security cameras both inside and outside the establishment, which will be supervised by our experienced security team. The surrounding area will benefit from an increase in foot traffic, and increased surveillance and security.

Eden's history of legal and regulatory compliance has prepared our team to cooperate and work closely with the surrounding community. We understand the need for transparency in our operations during this time, and we intend on maintaining open communication with the local police to keep our neighbourhoods safe. Eden hopes to earn the public's support and confidence during this transition, and we look forward to building a positive relationship with the city of Nanaimo. We appreciate this opportunity to present our case in the rezoning rationale, and we are grateful for your time and consideration regarding this matter.

Sincerely,

Eden



EDEN

602-777 Richards St
Vancouver, BC
V6B 0M9

Nanaimo City Hall
455 Wallace Street
Nanaimo, BC
V9R 5J6

Eden - Community Impact Statement

Eden understands the intent behind the policies and regulations, endorsed by the City of Nanaimo and the province of British Columbia. We acknowledge that our adherence to these policies will play an integral role in our company's success in the cannabis industry.

Our goal is to have a positive impact on the community. In order to achieve this goal, Eden will ensure that the community's concerns are properly addressed. The primary concerns from the city and the local residents are for the prevalence of cannabis odour, minors and smoking on or near the site. The following sections will address the above-mentioned concerns in further detail.

Minors:

Eden's products and services are reserved for those purchasing on-site with proper identification. Minors are not permitted inside our retail establishment under any circumstances.

Our 'Policy Manual' clearly states that all products must not be redistributed, sold or shared with underage clients. Any attempts by our customers to do so will be reported, recorded and the offending party will be permanently banned. This will be strictly enforced as it is a federal offence. If there is an attempt by a minor to acquire any of Eden's products, the Location Manager will be immediately notified. The Location Manager will complete an incident report for security and take all necessary actions to prevent another incident.

Odour and Smoking:

Due to our strict no-consumption policy, there will be no issues regarding cannabis odours permeating the surrounding neighbourhood.

Wholesale cannabis product will arrive sealed, pre-packaged (no bulk products) and labelled in accordance with federal standards. All Eden products will be transported, sold and stored in tamper-evident, child-resistant and discreet packaging.

Security:

Security will play a fundamental role in our day to day operations and we will take full financial responsibility for retaining a dedicated security team for each location. This includes the placement of numerous security cameras, both inside and outside of the establishment, supervised by our experienced security team.

In addition to monitoring the cameras, Eden's security team will:

- patrol the premises and address security breaches on-site as required; such as restricting access to minors, preventing disruptive behaviour and on-site consumption;

RECEIVED
RA420
2019-MAY-13
Current Planning



EDEN

602-777 Richards St
Vancouver, BC
V6B 0M9

- maintain a positive relationship with the city and police officials and be available to provide security footage to the police or the LCRB at any time;
- communicate all policies that storefront employees must follow to the Operations Officer and the Location Manager; and

Concluding Remarks:

Eden's history of legal and regulatory compliance has prepared our team to cooperate and work closely with the surrounding community. We understand that in order to sell responsibly, all employees will need to be equipped with the latest information regarding any legislation pertaining to cannabis. As such, all employees will receive specialized training; in addition to their BC Worker Verification, because we want our neighbours to feel comfortable and safe.

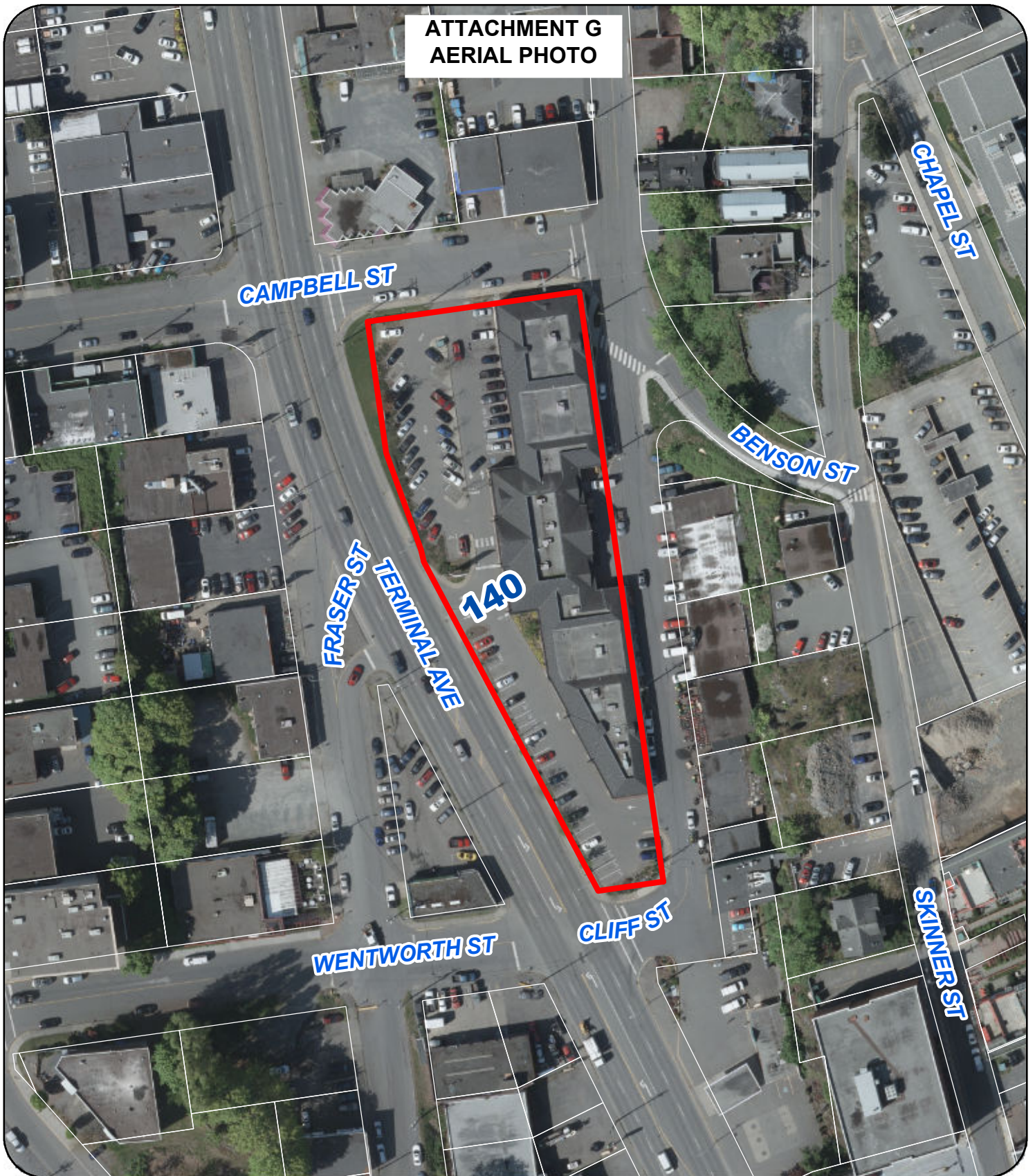
We understand the need for transparency in our operations during this time and we intend on maintaining open communication with the local police to keep our neighbourhoods secure. This is of crucial importance, not only for the communities we operate in, but also for our business as a licensed retail storefront. If given the opportunity, we firmly believe in Eden's ability to provide a beneficial service to the community and have a positive influence on the local economy.

We are grateful for your time and consideration of our community impact statement. Please do not hesitate to contact an Eden representative if the council has any questions or require additional information.

Sincerely,

Eden

ATTACHMENT G
AERIAL PHOTO



N



LEGEND



SUBJECT PROPERTY

REZONING APPLICATION NO. RA000420
AERIAL PHOTO

CITY OF NANAIMO

BYLAW NO. 4500.145

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.145".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN VIP62978 (140 Terminal Avenue) to allow Cannabis Retail Store as a site-specific use within the Terminal Avenue (DT4) Zone, as shown on Schedule A.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

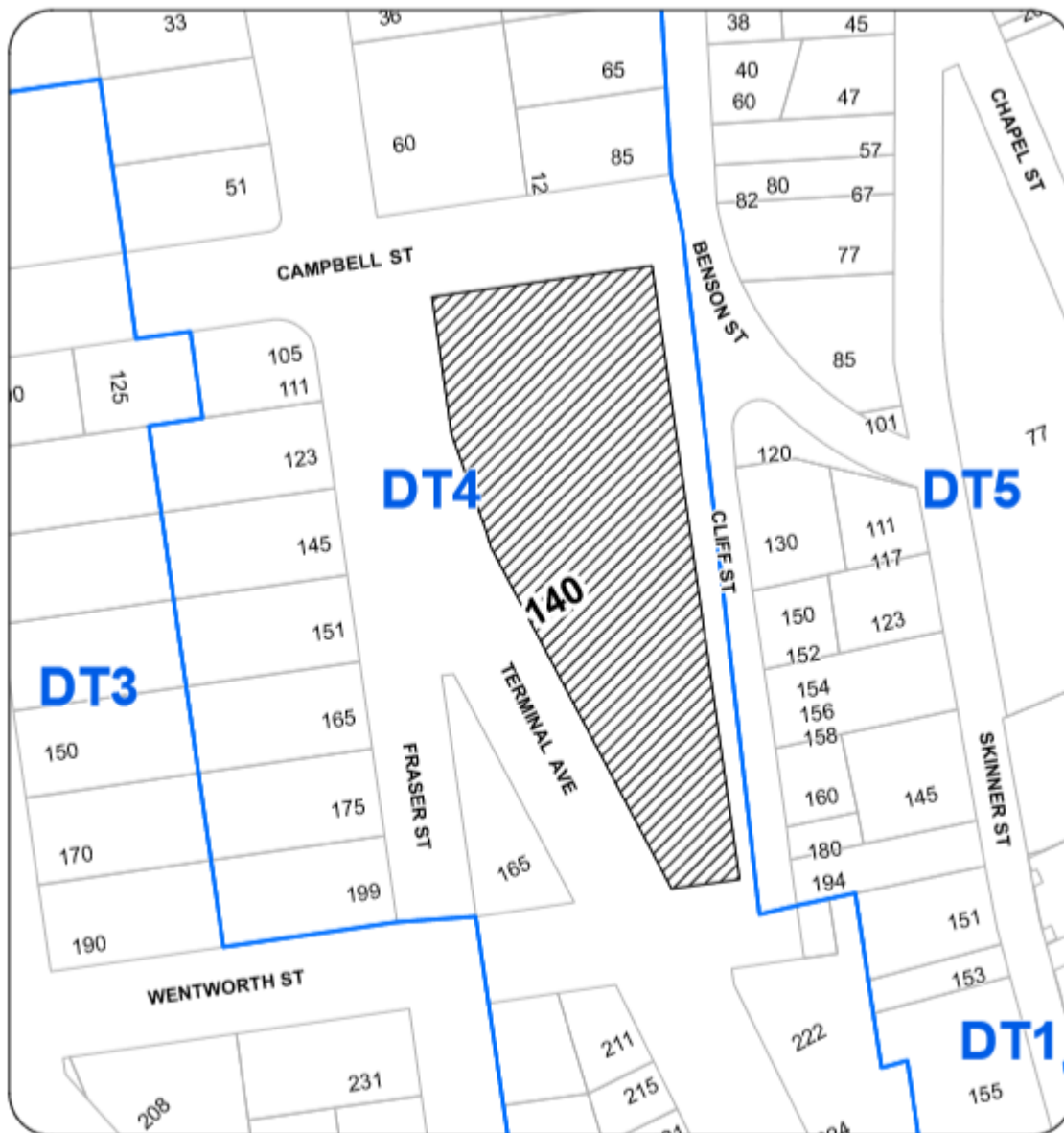
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000420
Address: 140 Terminal Avenue

SCHEDULE A LOCATION PLAN



REZONING APPLICATION NO. RA000420

LOCATION PLAN

CIVIC: 140 TERMINAL AVENUE

LEGAL: LOT 1 SECTION 1 NANAIMO DISTRICT PLAN VIP62978



SUBJECT PROPERTY

8. Bylaw

CITY OF NANAIMO

BYLAW NO. 4500.147

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.147".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as SECTION 27, RANGE 17 OF SECTION 7, NANAIMO DISTRICT, PLAN 1332 EXCEPT PART IN PLAN 3212 RW and VIP84370 (1300 Junction Avenue) from Single Dwelling Residential (R1) to Mixed Use Corridor (COR2), as shown on Schedule A.

PASSED FIRST READING: 2019-MAY-27

PASSED SECOND READING: 2019-MAY-27

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

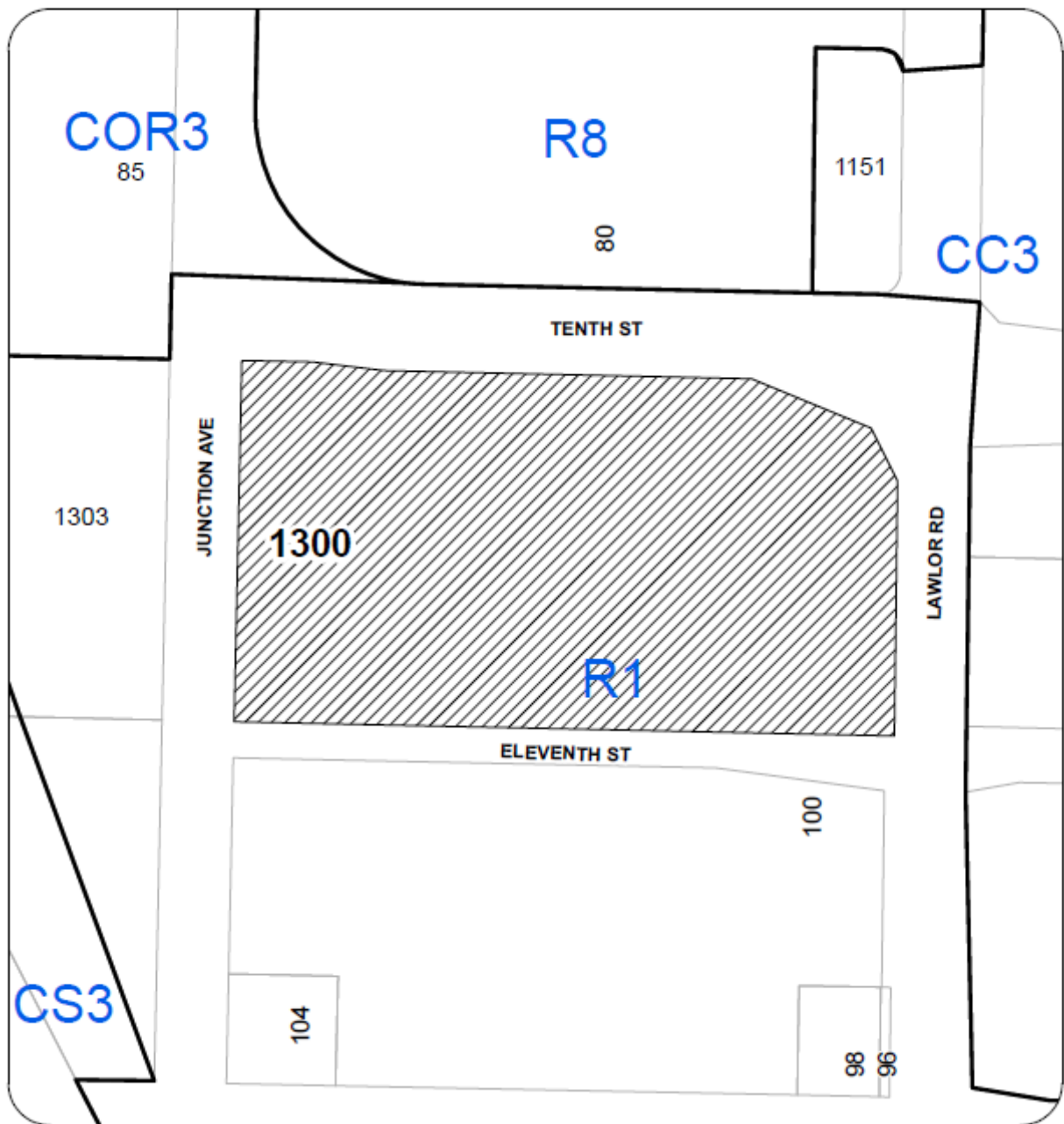
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000400
Address: 1300 Junction Avenue

LOCATION PLAN



REZONING APPLICATION NO. RA000400

LOCATION PLAN

Civic: 1300 JUNCTION AVENUE



Subject Property

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CITY OF NANAIMO

BYLAW NO. 4500.148

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.148".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 1, BLOCK EA, SECTION 1, NANAIMO DISTRICT, PLAN 57 (751 Haliburton Street) to allow Office as a site-specific use within the Local Service Centre (CC1) Zone, as shown on Schedule A.

PASSED FIRST READING: 2019-MAY-27

PASSED SECOND READING: 2019-MAY-27

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

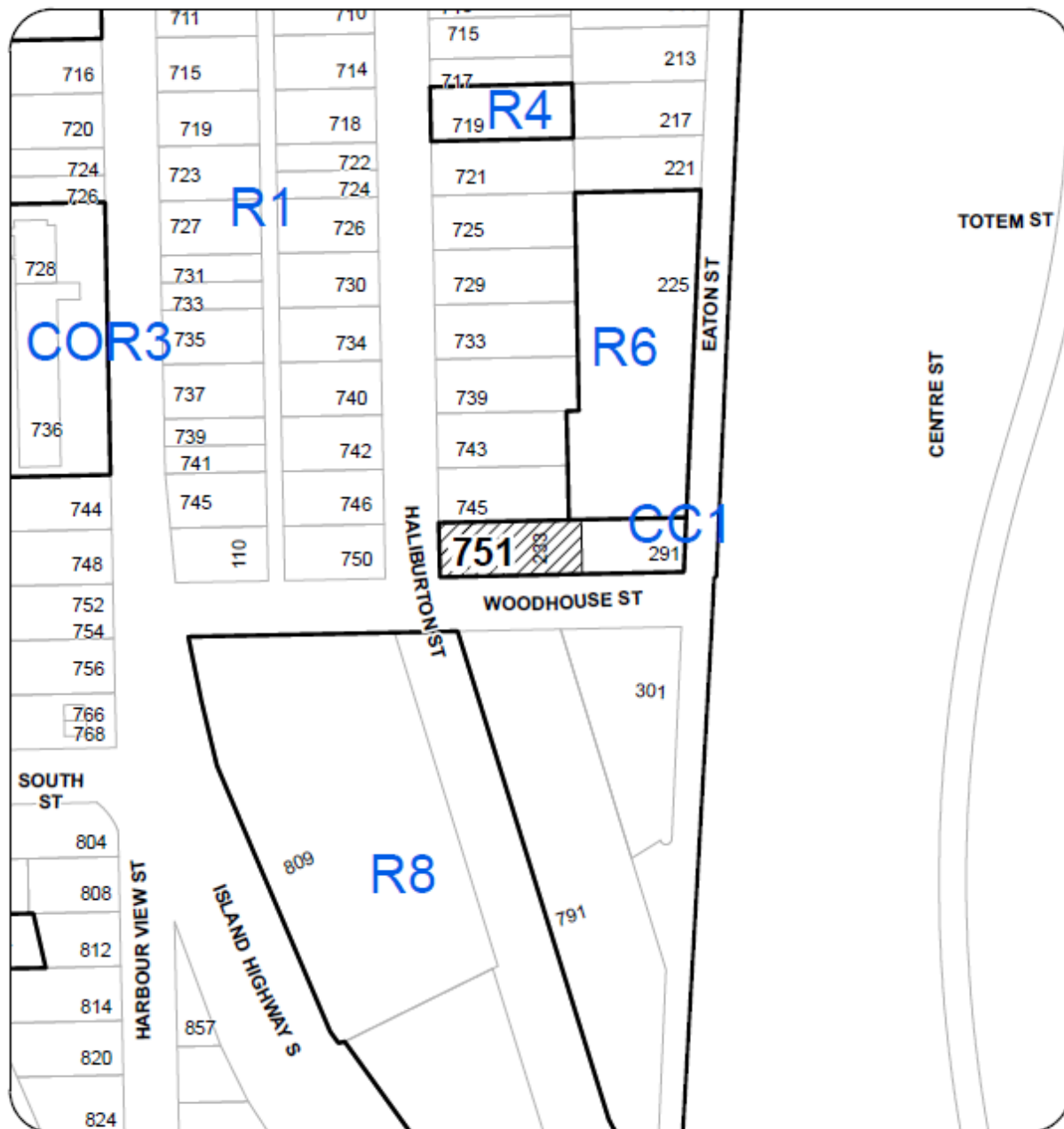
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000409
Address: 751 Haliburton Street

SCHEDULE A LOCATION PLAN



REZONING APPLICATION NO. RA000409

LOCATION PLAN



Subject Property

Civic: 751 HALIBURTON STREET
Legal: LOT 1, BLOCK EA, SECTION 1
NANAIMO DISTRICT, PLAN 57

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CITY OF NANAIMO

BYLAW NO. 4500.142

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.142".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT A, DISTRICT LOT 26, WELLINGTON DISTRICT, PLAN VIP63639 (6683 Mary Ellen Drive) to allow Cannabis Retail Store as a site-specific use within the Woodgrove Urban Centre (CC4) Zone, as shown on Schedule A.

PASSED FIRST READING: 2019-APR-29

PASSED SECOND READING: 2019-APR-29

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

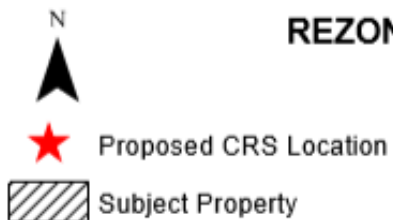
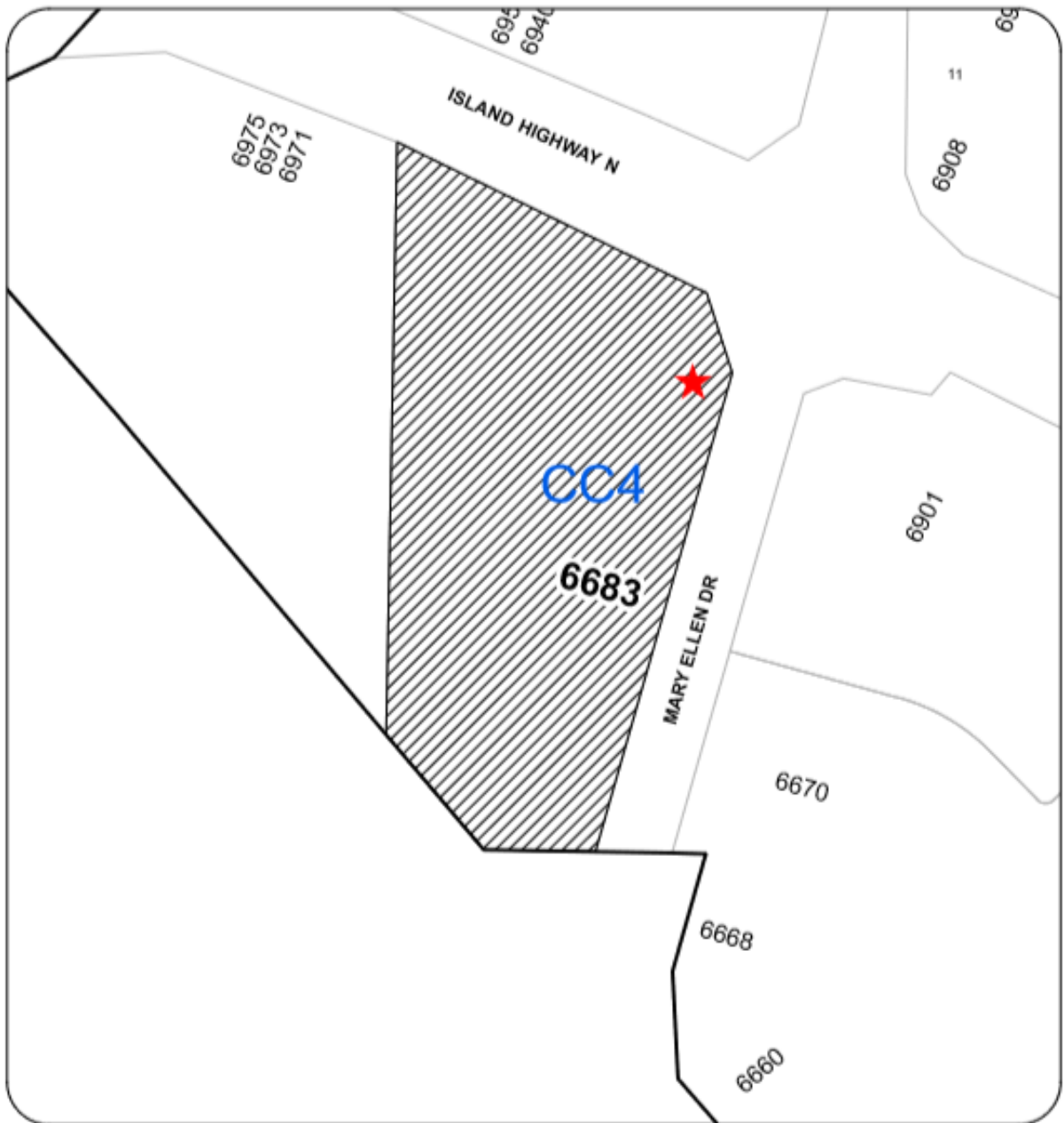
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000407
Address: 6683 Mary Ellen Drive

LOCATION PLAN



REZONING APPLICATION NO. RA000407

LOCATION PLAN

Civic: 6683 MARY ELLEN DRIVE
Legal: LOT A, DISTRICT LOT 26
WELLINGTON DISTRICT, PLAN VIP63639

CITY OF NANAIMO

BYLAW NO. 4500.143

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.143".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT A, Sections 3 and 5, WELLINGTON DISTRICT, PLAN VIP60825 (3200 Island Highway North) to allow Cannabis Retail Store as a site-specific use within the City Commercial Centre (CC3) Zone, as shown on Schedule A.

PASSED FIRST READING: 2019-APR-29

PASSED SECOND READING: 2019-APR-29

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

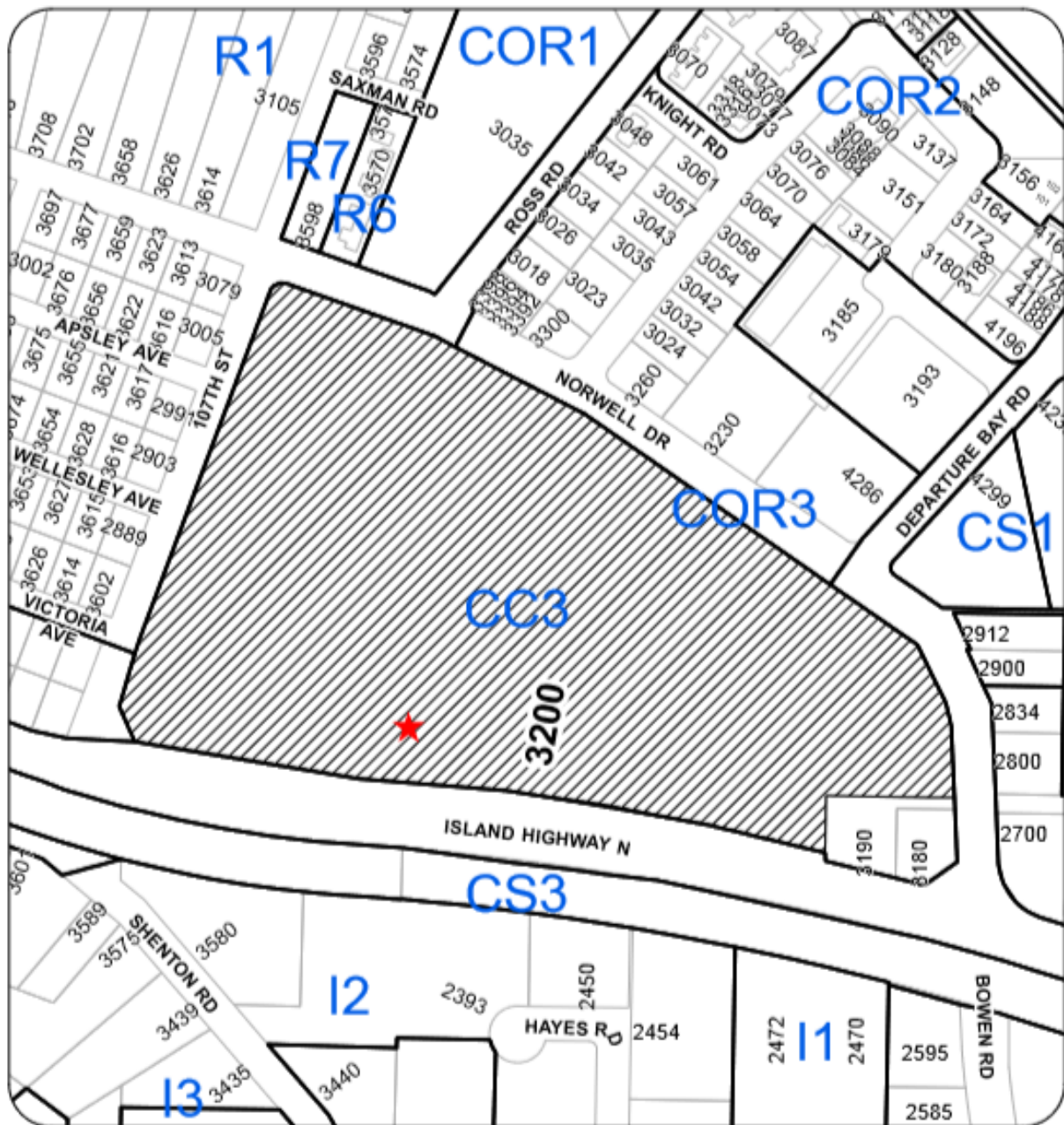
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000408
Address: 3200 Island Highway North

LOCATION PLAN



REZONING APPLICATION NO. RA000408

LOCATION PLAN



Proposed CRS Location



Subject Property

Civic: 3200 ISLAND HIGHWAY N
Legal: LOT A, SECTION 3 & 5
WELLINGTON DISTRICT, PLAN VIP60825

CITY OF NANAIMO

BYLAW NO. 4500.144

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.144".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 3, SITUATE IN COMMERCIAL INLET IN THE BED OF THE PUBLIC HARBOUR OF NANAIMO AND OF SECTION 1, NANAIMO DISTRICT, PLAN 9893 (52 Victoria Crescent) to allow Cannabis Retail Store as a site-specific use within the Terminal Avenue (DT4) Zone, as shown on Schedule A.

PASSED FIRST READING: 2019-MAY-27

PASSED SECOND READING: 2019-MAY-27

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

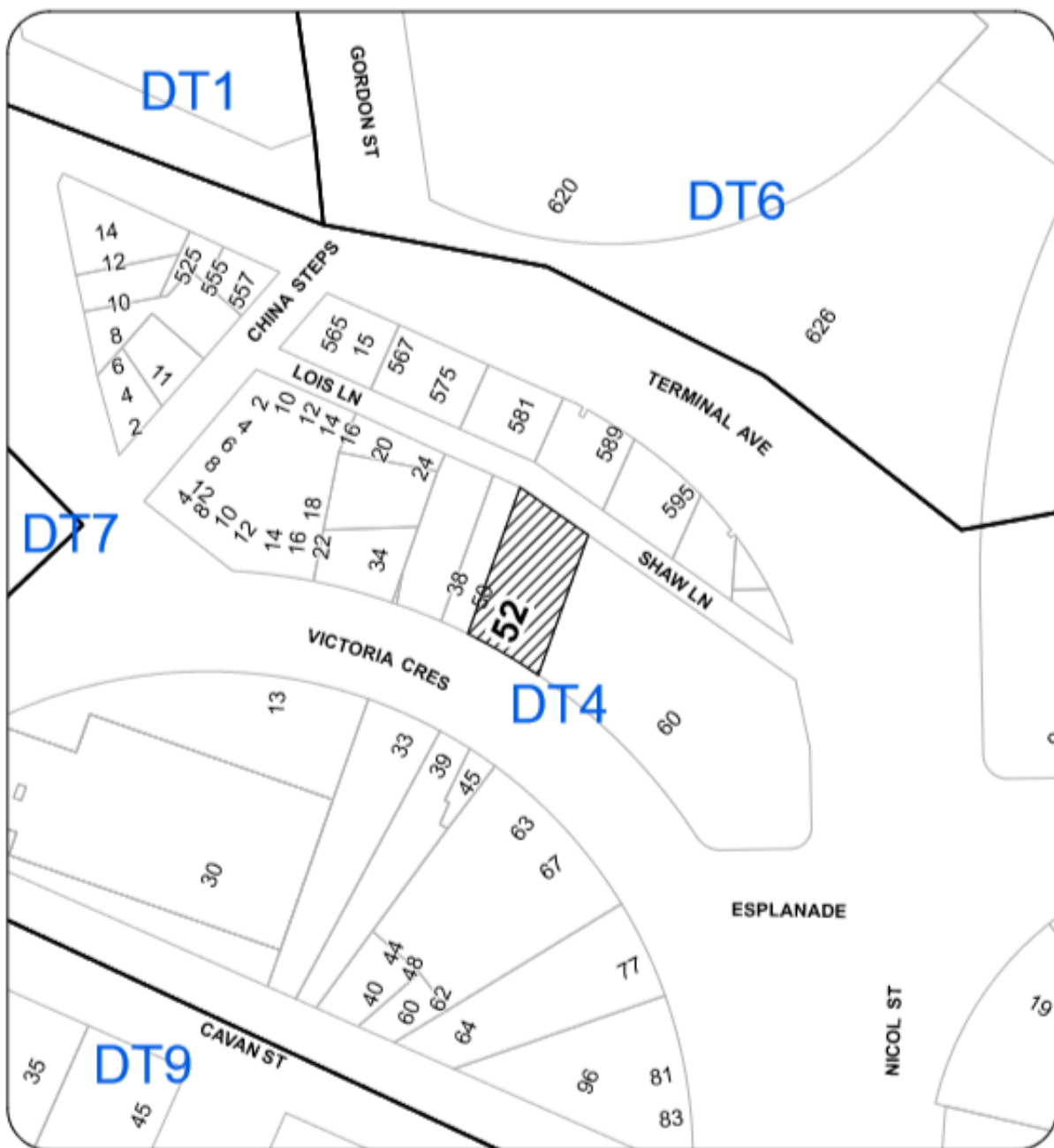
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000418
Address: 52 Victoria Crescent

SCHEDULE A LOCATION PLAN



REZONING APPLICATION NO. RA000418 LOCATION PLAN

Civic: 52 VICTORIA CRESCENT
Legal: LOT 3, SITUATE IN COMMERCIAL INLET IN THE BED OF
THE PUBLIC HARBOUR OF NANAIMO AND OF SECTION 1
NANAIMO DISTRICT, PLAN 9893

CITY OF NANAIMO

BYLAW NO. 4500.145

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.145".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN VIP62978 (140 Terminal Avenue) to allow Cannabis Retail Store as a site-specific use within the Terminal Avenue (DT4) Zone, as shown on Schedule A.

PASSED FIRST READING: 2019-MAY-27

PASSED SECOND READING: 2019-MAY-27

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

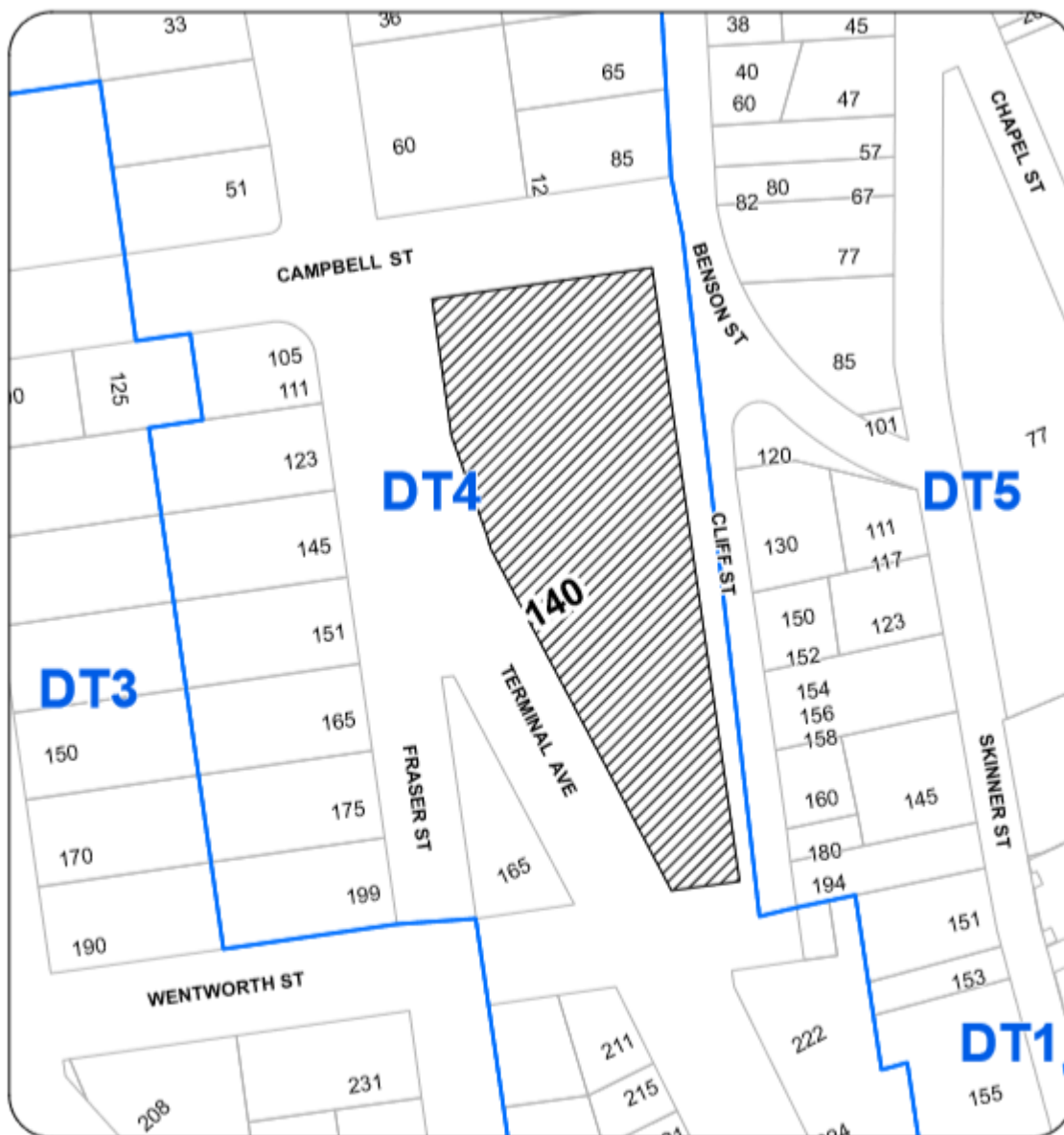
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000420
Address: 140 Terminal Avenue

SCHEDULE A
LOCATION PLAN



REZONING APPLICATION NO. RA000420

LOCATION PLAN

CIVIC: 140 TERMINAL AVENUE

LEGAL: LOT 1 SECTION 1 NANAIMO DISTRICT PLAN VIP62978



SUBJECT PROPERTY

DATE OF MEETING JUNE 13, 2019

AUTHORED BY DAVID LABERGE, MANAGER OF COMMUNITY SAFETY

SUBJECT **UNAUTHORIZED SUITES – 5829 TWEEDSMUIR CRESCENT; 806 GLENGARRY CRESCENT; 2850 COSGROVE CRESCENT; AND 405 NICOL STREET**

OVERVIEW

Purpose of Report

To obtain Council authorization to enforce the provisions of the *Community Charter* related to unauthorized suites.

Recommendation

That Council, pursuant to Sections 72 and 73 of the *Community Charter*, order the owners of 5829 Tweedsmuir Crescent; 806 Glengarry Crescent; 2850 Cosgrove Crescent; and 405 Nicol Street to remove the unauthorized suites and illegal construction to bring the properties into compliance within 30 days.

BACKGROUND

5829 Tweedsmuir Crescent is a single family dwelling with an unauthorized suite. Alterations were done without a building permit as required by City of Nanaimo "Building Bylaw 2016 No. 7224". Correspondence was sent to the owner outlining the requirements to retain the suite and instructions how to remove same. The property has not been brought into compliance.

806 Glengarry Crescent is a single family dwelling with an unauthorized suite. Alterations were done without a building permit as required by City of Nanaimo "Building Bylaw 2016 No. 7224". Correspondence was sent to the owner outlining the requirements to retain the suite and instructions how to remove same. The property has not been brought into compliance.

2850 Cosgrove Crescent is a single family dwelling with an unauthorized suite. Alterations were done without a building permit as required by City of Nanaimo "Building Bylaw 2016 No. 7224". Correspondence was sent to the owner outlining the requirements to retain the suite and instructions how to remove same. The property has not been brought into compliance.

405 Nicol Street is a single family dwelling with an unauthorized suite. Alterations were done without a building permit as required by City of Nanaimo "Building Bylaw 2016 No. 7224". Correspondence was sent to the owner outlining the requirements to retain the suite and instructions how to remove same. The property has not been brought into compliance.

OPTIONS

1. That Council, pursuant to Sections 72 and 73 of the *Community Charter*, order the owners of 5829 Tweedsmuir Crescent; 806 Glengarry Crescent; 2850 Cosgrove Crescent; and 405 Nicol Street to remove the unauthorized suites and illegal construction to bring the properties into compliance within 30 days.
2. That Council provide alternate direction.

SUMMARY POINTS

- The properties at 5829 Tweedsmuir Crescent; 806 Glengarry Crescent; 2850 Cosgrove Crescent; and 405 Nicol Street contain unauthorized suites.
- Efforts were made to bring the properties into compliance.
- As compliance was not achieved, the properties are forwarded to Council for authorization to enforce the provisions of Sections 72 and 73 of the *Community Charter*

Submitted by:

David LaBerge
Manager of Community Safety

Concurrence by:

Karen Fry
Director of Public Safety