

MINUTES
SPECIAL COUNCIL MEETING (PUBLIC HEARING)
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC
THURSDAY, 2019-JUL-04, AT 7:00 P.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong
Councillor D. Bonner
Councillor T. Brown
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor I. W. Thorpe
Councillor J. Turley

Absent: Councillor Z. Maartman

Staff: J. Holm, Director, Development Approvals
C. Horn, Planner
D. Stewart, Planner
S. Snelgrove, Deputy Corporate Officer
K. Gerard, Recording Secretary

1. CALL THE SPECIAL COUNCIL MEETING TO ORDER:

The Special Meeting was called to order at 7:00 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 5(a) – Rezoning Application No. RA422 – 111 Terminal Avenue – replace Armanazhan Ayan, applicant with Joyti Gandham, Independent Consultant and Director, Community Relations, Cannabis Stores Canada, and Robert Laurie, Ad Lucem Law Corporation.

3. ADOPTION OF AGENDA:

It was moved and seconded that the Agenda, as amended, be adopted. The motion carried unanimously.

4. CALL THE PUBLIC HEARING TO ORDER:

The Public Hearing Meeting was called to order at 7:00 p.m. Mayor Krog spoke regarding the purpose of a Public Hearing, advised that Council was meeting on the traditional territory of the Snuneymuxw First Nation and advised of the standard protocols for a Public Hearing.

5. PUBLIC HEARING AGENDA:

David Stewart, Planner, explained the required procedures in conducting a Public Hearing and the regulations contained within Part 14 of the *Local Government Act*.

(a) Rezoning Application No. RA422 – 111 Terminal Avenue

Introduced by David Stewart, Planner.

Presentation:

1. Joyti Gandham, Independent Consultant and Director, Community Relations, Cannabis Stores Canada (CSC) spoke in favour and stated:
 - CSC focuses on providing free therapy, counselling and therapeutic programs to help people gain employment, housing and re-establish a positive quality of life
 - Established a opioid harm reduction program along with Westin Pharmacies where users of opioids use cannabis products to quit more harmful/addictive drugs and regain control of their lives
 - CSC works with community partners, service providers and other businesses to ensure safe consumption and promote a street sweeper program which ensures the area around the business is clean
2. Robert Laurie, Ad Lucem Law Corporation, spoke in favour and stated:
 - He is the legal counsel for CSC and was a member of the City of Nanaimo Cannabis Task Force
 - The 200 metre buffer zone is a guideline established by the Cannabis Task Force but can be modified by Council on a case by case basis
 - the location cannot be seen from Pauline Haarer Elementary School, is located in an industrial zone and school age children would not be walking in this area
 - CSC intends to implement electric car charge stations, bike repair station, employ 10 – 15 full-time staff and have spent approximately \$150,000 in renovations to the interior and exterior of the building

Mayor Krog called for submissions from the Public:

1. Matthew O'Donnell, 4978 Fillinger Crescent, spoke in favour, and stated that CSC has an intensive plan to provide community services, the 200 metres buffer zone is a guideline, the previous business that occupied this space was an adult oriented operation and CSC is focused on medicinal rather than recreational use.

Mayor Krog called for submissions from the Public for a second time.

No one in attendance wished to speak regarding Rezoning Application No. RA422 – 111 Terminal Avenue.

Mayor Krog called for submissions from the Public for a third time.

No one in attendance wished to speak regarding Rezoning Application No. RA422 – 111 Terminal Avenue.

Three (3) written submissions were received prior to the start of the Special Council Meeting (Public Hearing), 2019-JUL-04, and no written submissions were received at the Public Hearing with respect to Rezoning Application No. RA422 – 111 Terminal Avenue.

(b) Rezoning Application No. RA425 – 6404 Metral Drive

Introduced by David Stewart, Planner.

Presentation:

1. Cory Waldron, 7898 Lantzville Road, Chief Executive Officer, Mood Cannabis Company, applicant, spoke in favour and stated:
 - Business was established 1.5 years ago and Mood Cannabis Company owns the first approved retail cannabis store in Nanaimo
 - Goal of Mood Cannabis Company is to ensure professionalism, compliancy and the responsible sale and use of cannabis
 - When picking a location Mood Cannabis Company ensured they were only looking at properties outside of the 200 metre buffer zone
 - Promoting proper disposal of product packaging including a recycle station at the store
 - They have met with all surrounding businesses and discussed any concerns or questions they may have had and have received positive feedback from most of the businesses in the area
 - The store will have advanced security including cameras inside and outside the retail location and ID checks
 - Tablets for educational purposes, will promote and sell Vancouver Island cannabis that is Health Canada approved
 - Hours of operation will be Monday to Saturday 9:00 a.m. to 11:00 p.m. and Sunday 9:00 a.m. to 9:00 p.m.

Mayor Krog called for submissions from the Public:

1. Ryan Smith, 6131 Mystic Way, spoke in in favour, and stated that Mood Cannabis Company's focus on education will ensure safe handling and consumption of cannabis and cannabis users appreciate going to a safe retail location knowing they will purchase a quality product.

Mayor Krog called for submissions from the Public for a second time.

No one in attendance wished to speak regarding Rezoning Application No. RA425 – 6404 Metral Drive.

Mayor Krog called for submissions from the Public for a third time.

No one in attendance wished to speak regarding Rezoning Application No. RA425 – 6404 Metral Drive.

Thirteen (13) written submissions were received prior to the start of the Special Council Meeting (Public Hearing), 2019-JUL-04, and no written submissions were received at the Public Hearing with respect to Rezoning Application RA425 – 6404 Metral Drive.

(c) Rezoning Application No. RA430 – 350 Terminal Avenue

Introduced by David Stewart, Planner.

Presentation:

1. Sunny Gill, 6328 166th Street, Surrey, BC, on behalf of applicant, spoke in favour and stated:
 - Proposed retail location will be in the downtown core and new design of the building will promote revitalization of the downtown core while maintaining the heritage of the area
 - A full exterior and interior renovation is planned for the building and parking is available in front of the business with a safe and secure loading and unloading area
 - The property has been purchased by the applicant, 1135648 Ltd., and they plan to split the building to accommodate a secondary business as a rental
 - 1135648 Ltd. has invested a large amount of money in the property including upgrades to the building and security measures such as 16 cameras and window coverings to ensure no one can see inside
 - A community contribution of \$10,000 has been earmarked for Parks and Recreation
 - The location is outside of the 200 metre buffer zone, has no site lines from any school or daycare and no negative impacts have been identified

Mayor Krog called for submissions from the Public.

No one in attendance wished to speak regarding Rezoning Application No. RA430 – 350 Terminal Avenue.

Mayor Krog called for submissions from the Public for a second time.

No one in attendance wished to speak regarding Rezoning Application No. RA430 – 350 Terminal Avenue.

Mayor Krog called for submissions from the Public for a third time.

No one in attendance wished to speak regarding Rezoning Application No. RA430 – 350 Terminal Avenue.

One (1) written submission was received prior to the start of the Special Council Meeting (Public Hearing), 2019-JUL-04, and no written submissions were received at the Public Hearing with respect to Rezoning Application RA430 – 350 Terminal Avenue.

6. FINAL CALL FOR SUBMISSIONS:

Mayor Krog announced that 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:

It was moved and seconded that the Public Hearing adjourn at 7:35 p.m. The motion carried unanimously.

8. BYLAWS:

(a) “Zoning Amendment Bylaw 2019 No. 4500.146”

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.146” (To rezone 111 Terminal Avenue in order to permit “Cannabis Retail Store” as a site-specific use in the Terminal Avenue [DT4] zone) pass third reading. The motion carried unanimously.
Opposed: Councillors Armstrong, Thorpe and Turley

(b) “Zoning Amendment Bylaw 2019 No. 4500.150”

It was moved and seconded that “Zoning Amendment Bylaw 2019 No. 4500.150” (To rezone 6404 Metral Drive to allow “Cannabis Retail Store” as a site-specific use in the Woodgrove Urban Centre [CC4] zone) pass third reading. The motion carried unanimously.

(c) “Zoning Amendment Bylaw 2019 No. 4500.152”

It was moved and seconded that Zoning Amendment Bylaw 2019 No. 4500.152” (To rezone 350 Terminal Avenue to allow “Cannabis Retail Store” as a site-specific use in the Terminal Avenue [DT4] zone) pass third reading. The motion carried unanimously.

9. ADJOURNMENT:

It was moved and seconded at 7:43 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER