

DATE OF MEETING | October 21, 2019

AUTHORED BY | GEPKE STEVENSON, PLANNER, CURRENT PLANNING

SUBJECT | **REZONING APPLICATION NO. RA436 – 120 COMMERCIAL STREET**

OVERVIEW

Purpose of Report

To present Council with an application to amend the existing zoning of the property located at 120 Commercial Street to allow “Cannabis Retail Store” as a site-specific use in the Core (DT1) zone.

Recommendation

That:

1. “Zoning Amendment Bylaw 2019 No. 4500.161” (To rezone 120 Commercial Street to allow “Cannabis Retail Store” as a site-specific use in the Core [DT1] zone) pass first reading;
2. “Zoning Amendment Bylaw 2019 No. 4500.161” 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, RA436, was received from Aura Cannabis Inc. (doing business as Kiaro Retail), for 120 Commercial Street. The applicant proposes to amend the existing DT1 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 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, six CRS rezoning applications have received Final Adoption, and ten other applications have been reviewed by Council in addition to the subject application:

#	Application No.	Address	Status
1	RA413	3923 Victoria Avenue	Received fourth reading (Final Adoption) on 2019-JUN-17
2	RA407	6683 Mary Ellen Drive	Received fourth reading (Final Adoption) on 2019-AUG-26

3	RA408	3200 Island Highway N.	Received fourth reading (Final Adoption) on 2019-AUG-26
4	RA425	6404 Metral Drive	Received fourth reading (Final Adoption) on 2019-AUG-26
5	RA430	350 Terminal Avenue	Received fourth reading (Final Adoption) on 2019-SEP-09
6	RA418	52 Victoria Crescent	Received fourth reading (Final Adoption) on 2019-SEP-16
7	RA406	111 Nicol Street	Received third reading on 2019-FEB-07
8	RA410	1599 Dufferin Crescent	Received third reading on 2019-APR-04
9	RA415	2220 Bowen Road	Received third reading on 2019-APR-04
10	RA411	25 Front Street	Received third reading on 2019-MAY-02
11	RA416	1483 Bowen Road	Received third reading on 2019-MAY-02
12	RA417	510 Fifth Street	Received third reading on 2019-MAY-02
13	RA420	140 Terminal Avenue	Received third reading on 2019-JUN-13
14	RA422	111 Terminal Avenue	Received third reading on 2019-JUL-04
15	RA427	4061 Norwell Drive	Denied by Council on 2019-JUL-08
16	RA431	50 Tenth Street	Received third reading on 2019-OCT-07
17	RA437	115 Chapel Street	Being considered by Council on 2019-OCT-21

In total, 20 CRS applications have been received to date.

Subject Property and Site Context

<i>Location</i>	The subject property is an historic building located within the downtown core at the intersection of Commercial Street and Wharf Street.
<i>Total Lot Area</i>	218m ²
<i>Current Zoning</i>	DT1 - Core
<i>Proposed Zoning</i>	DT1 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 - Core
<i>Proximity to nearest school</i>	Approximately 525m (<i>Ecole Pauline Haarer Elementary – 400 Campbell Street</i>)
<i>Proximity to nearest licensed daycare</i>	Approximately 350m (<i>Katie’s Korner – 357 Wesley Street</i>)
<i>Proximity to nearest CRS</i>	Approximately 105m from an approved CRS at 350 Terminal Avenue (RA422); and approximately 145m from a proposed CRS at 115 Chapel Street (RA437), being considered by Council on 2019-OCT-21.

The subject property is located within the historic Gusola Block. The proposed cannabis retail store would be located in the partially-below-grade retail unit. The at-grade unit entrance faces Wharf Street and is addressed with the alias of 78 Wharf Street. The subject property also contains a café and bakery on the ground floor and apartments on the second floor.

Neighbouring land uses include commercial retail, offices, public institutions, and public plazas.

DISCUSSION

Proposed Development

The applicant is proposing to rezone the subject property to allow “Cannabis Retail Store” use in addition to the existing DT1 permitted uses. While the DT1 zone allows “retail” as a permitted use, a CRS requires site-specific rezoning.

The proposed business hours are from 10 a.m. to 8 p.m., seven days a week. The proposed retail floor area is approximately 177m².

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 has advised the City that Aura Cannabis has passed 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. Should Council approve “Zoning Amendment Bylaw 2019 No. 4500.161”, the bylaw approval would constitute a positive recommendation in support of the licensing application.

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 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 – Downtown Centre land-use designation.

Cannabis Retail Store Rezoning Criteria

The following table summarizes how the proposed rezoning addresses the CRS Rezoning Criteria adopted by Council on 2018-SEP-17, which is intended to inform Council’s consideration of the rezoning application:

Criteria		Response
<i>Location</i>		
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 Urban Node land-use designation, and is located in close proximity to a major collector road and a provincial highway.

<p>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>	<p>The proposed CRS is located more than 200m from any licensed daycares or schools, with the nearest school approximately 525m away, and the nearest daycare approximately 350m away.</p> <p>School District 68 and Island Health (Community Care and Licensing) confirmed they have no objections to the application.</p>
<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.</p>	<p>The proposed CRS is located approximately 105m from the nearest approved CRS at 350 Terminal Avenue. The proposed CRS is also located approximately 145m away from a proposed CRS at 115 Chapel Street, which is being considered by Council on 2019-OCT-21.</p> <p>While the proposed CRS is located approximately within 200m of other proposed CRSs, the City's CRS Rezoning Criteria allows consideration of the overall urban density and context of the downtown area. The proposed location is within the core of Nanaimo's downtown, where retail density is at its greatest.</p>
<p>Building or Site</p>	
<p>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.</p>	<p>The proposed CRS will be located within an existing multi-tenant building. The size of the CRS is consistent with other commercial units in the downtown area.</p>
<p>2.2. The design of the proposed CRS should enhance or improve the aesthetics of the surrounding area, not detract from them.</p>	<p>Minor repainting of the entry doors is proposed. A canopy sign and projecting sign are proposed for the front entrance.</p>
<p>2.2.1. The revitalization of heritage buildings is encouraged.</p>	<p>No alterations to the heritage façade are proposed. The application has been reviewed by the City's Community Heritage Planner.</p>
<p>2.3. Outside the downtown core, consideration should be given to a requirement for onsite parking and loading for every CRS.</p>	<p>The proposed CRS is located in the downtown core and no onsite parking or loading is required.</p>
<p>Community Impact</p>	
<p>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.</p>	<p>The applicant provided a Letter of Rationale (Attachment E) that proposes the following measures to minimize or prevent potentially negative impacts:</p>

<p>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>	<ul style="list-style-type: none"> • preventing service to minors by requiring two pieces of ID, and training staff to recognize international forms of ID; • displaying no smoking signage and enforcement of no cannabis consumption on-site; • encouraging patrons to leave product sealed during transport; and • refusing service to intoxicated patrons and maintaining incident logs identifying problematic patrons or illegal acts.
<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 across Wharf Street from Diana Krall Plaza and is approximately 35m from the Vancouver Island Regional Library.</p> <p>The subject property is located within walking distance of a number of downtown parks including:</p> <ul style="list-style-type: none"> • Piper Park (military museum) (approximately 120m) • Nanaimo Harbour – Bastion Square Park/Anchor Way Park (approximately 145m) • The Italian Fountain at Port Place Mall (approximately 250m) <p>The subject property is also located within walking distance of a number of cultural facilities and places of worship including:</p> <ul style="list-style-type: none"> • Nanaimo Art Gallery (approximately 35m) • Port Theatre (approximately 65m) • Nanaimo Museum (approximately 100m) • St. Paul’s Anglican Church (approximately 175m) <p>Overall, downtown Nanaimo supports family-oriented facilities and public spaces as well as 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 of the Parking Bylaw and will not require on-site parking. The 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 neighborhood association for the proposed CRS is important to Council's decision.</p>	<p>There is no Neighbourhood Association and the Downtown Nanaimo Business Improvement Association has ceased operations.</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 distributed notices to neighbouring properties during the last week of July 2019. One rezoning notice sign has been placed in the window of the retail unit, and if Council gives first and second reading to “Zoning Amendment Bylaw 2019 No. 4500.161”, 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 reviewed the proposal and indicated they have no comments. Council has not established a Community Planning and Development Committee; therefore, committee review has not taken place.</p>

While the proposed CRS is within 200 metres of CRS locations that have previously been approved or are under consideration by Council, the CRS Rezoning Criteria note consideration should be given to overall urban density and context for proposed CRS locations in dense urban areas, such as the downtown. Pending LCRB approval, based on the number of CRS proposals in the downtown area, the area should be well served by CRS locations.

Staff support the proposed rezoning from a land-use perspective and consider the application to be substantially in compliance with City's CRS Rezoning Criteria policy.

Community Amenity Contribution

The applicant proposes a monetary contribution of \$10,000 be directed towards the Housing Legacy Fund.

Staff support the proposed community amenity contribution.

Conditions of Rezoning

Should Council support this application and pass third reading of “Zoning Amendment Bylaw 2019 No. 4500.161”, Staff recommend the following be secured prior to final adoption of the bylaw:

- *Community Amenity Contribution* – A monetary contribution of \$10,000 to be directed towards the Housing Legacy Fund.

SUMMARY POINTS

- A rezoning application has been received to allow Cannabis Retail Store use as a site-specific use in the DT1 - Core zone for the subject property located at 120 Commercial Street.
- The Provincial Liquor and Cannabis Regulation Branch has reviewed the licensing application for this proposal and has confirmed a “fit and proper” assessment.
- Staff support this application, which substantially complies with the City’s Cannabis Retail Store Rezoning Criteria policy.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: School and Licensed Daycare Buffer Map
ATTACHMENT C: Proposed Site Plan and Floor Plan
ATTACHMENT D: Conceptual Building Elevations
ATTACHMENT E: Letter of Rationale
ATTACHMENT F: CRS Rezoning Applications-Downtown Core Map
ATTACHMENT G: Aerial Photo
“Zoning Amendment Bylaw 2019 No. 4500.161”]

Submitted by:

Lainya Rowett
Manager, Current Planning

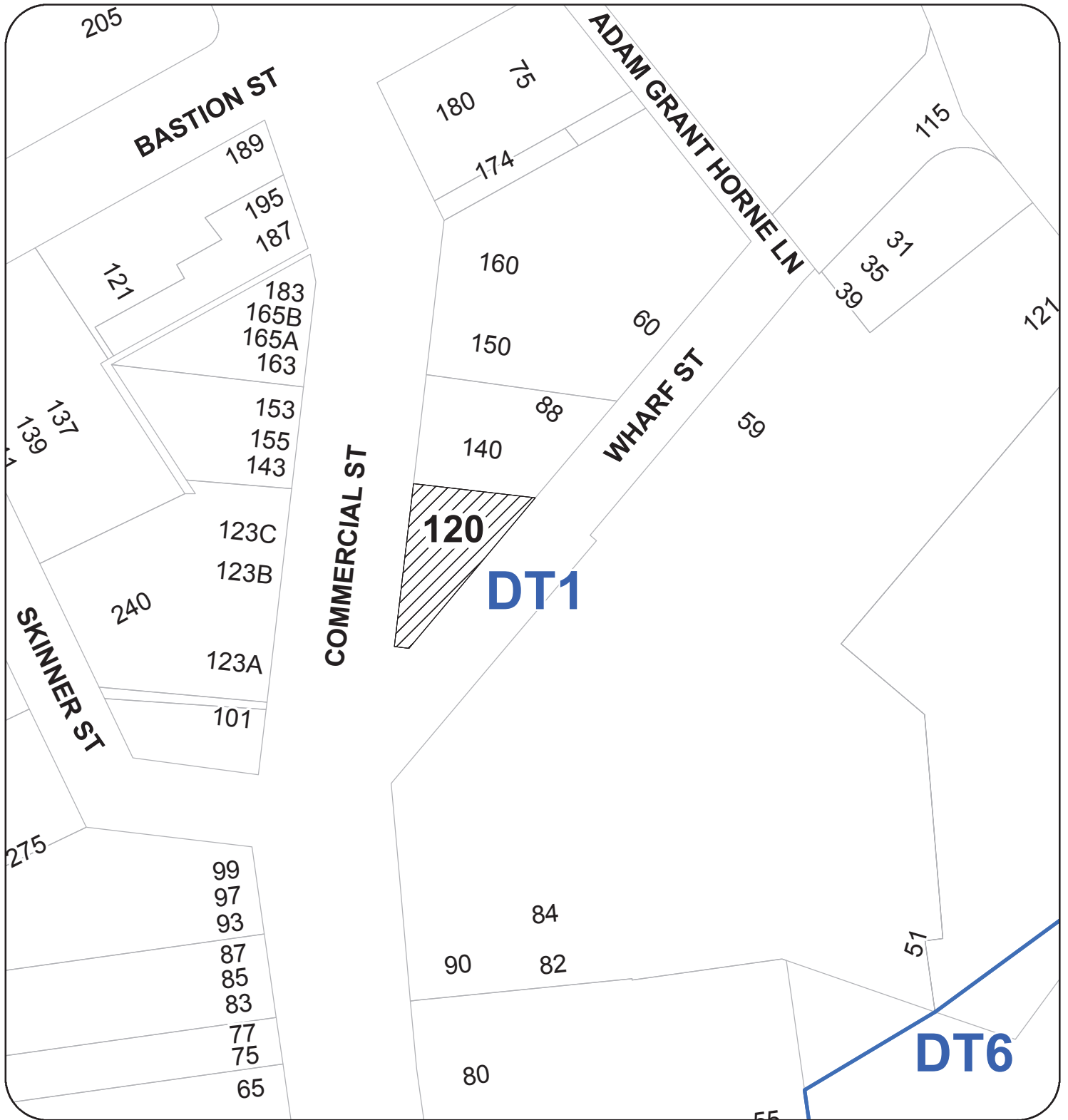
Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

||

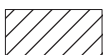
ATTACHMENT A
LOCATION PLAN



REZONING APPLICATION NO. RA000436

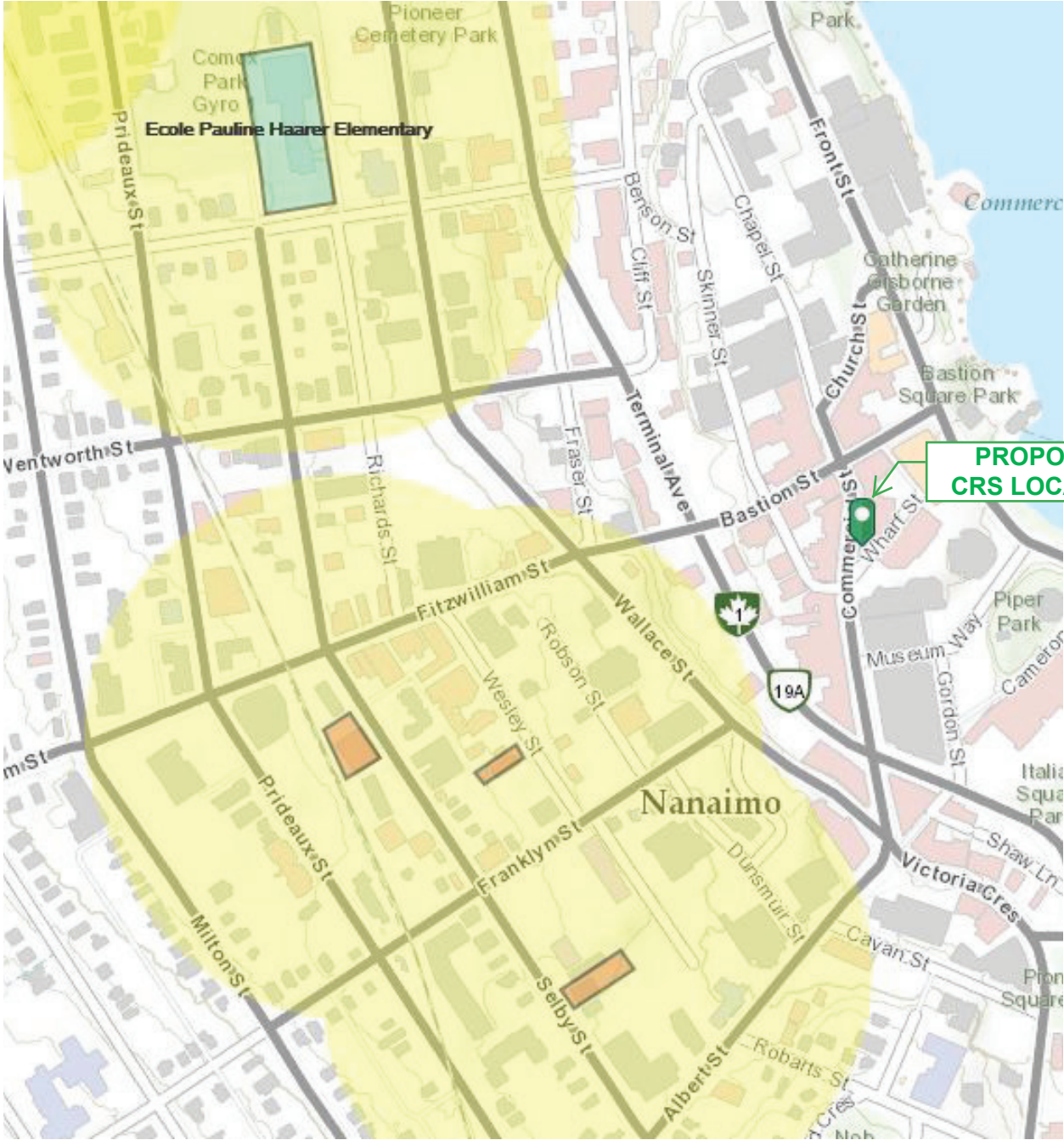
LOCATION PLAN

CIVIC: 120 COMMERCIAL STREET
LEGAL: LOT 5, BLOCK 58, SECTION 1, NANAIMO DISTRICT, PLAN 584
EXCEPT THAT PART THEREOF OUTLINED IN RED ON PLAN 182 BL

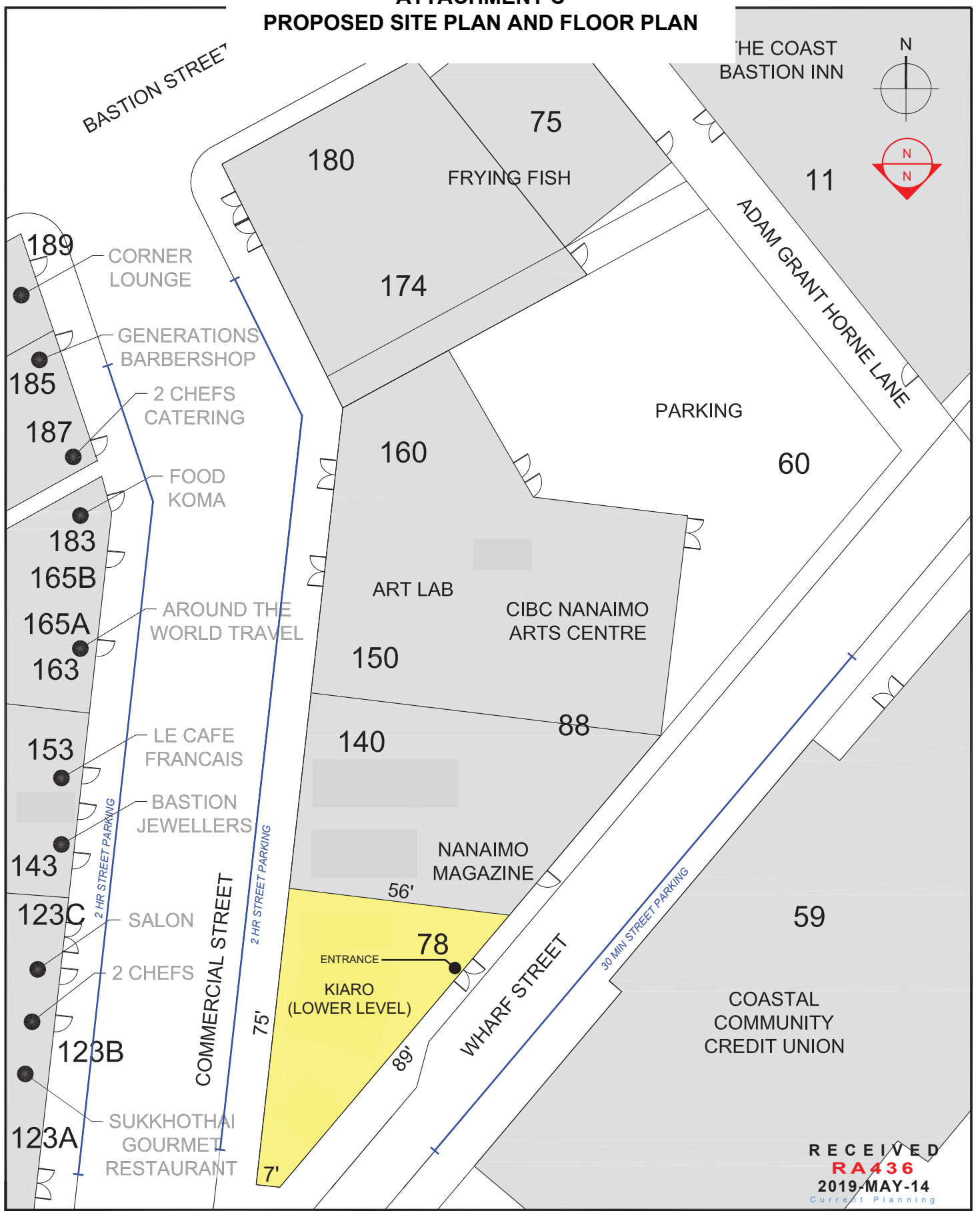


SUBJECT PROPERTY

**ATTACHMENT B
SCHOOL AND LICENSED DAYCARE BUFFER MAP**



**ATTACHMENT C
PROPOSED SITE PLAN AND FLOOR PLAN**



RECEIVED
RA 436
2019/MAY-14
Current Planning



ISSUED FOR: (dd/mm/yyyy)
REZONING 10 / 05 / 2019

DRAWN BY: N.S.M.C, EIT

CREATION: 10 / 05 / 2019

SCALE: 1/32" = 1'-0"

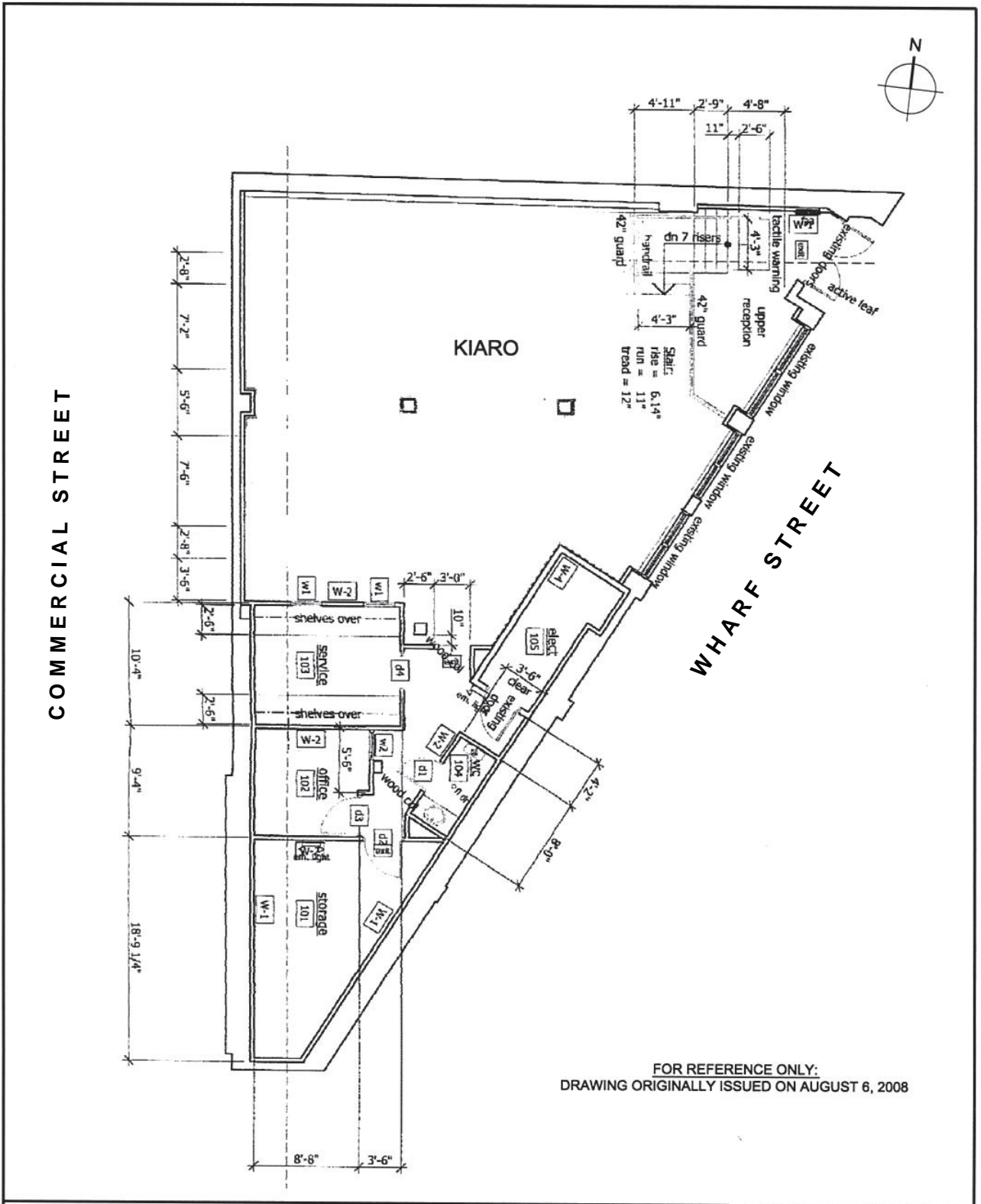
SHEET SIZE: 8.5 x 11" (ANSI-A)

DESIGN FOR:

KIARO
78 WHARF STREET
NANAIMO, BRITISH COLUMBIA
V9R 5G6

DRAWING TITLE:
SITE PLAN
LOWER LEVEL ELEVATION

DRAWING NUMBER:
A2



FOR REFERENCE ONLY:
DRAWING ORIGINALLY ISSUED ON AUGUST 6, 2008

KIARO

ISSUED FOR: (dd/mm/yyyy)
REZONING 01/03/2019
DRAWN BY: F.A.A.
CREATION: 28/02/2019
SCALE: 3/32" = 1'-0"
SHEET SIZE: 8.5 x 11" (ANSI-A)

DESIGN FOR:
KIARO
78 WHARF STREET
NANAIMO, BRITISH COLUMBIA
V9R 5G6

DRAWING TITLE:
FLOOR PLAN
DRAWING NUMBER:
A3

RECEIVED
RA436
2019-MAY-15
Current Planning

ATTACHMENT D
CONCEPTUAL BUILDING ELEVATIONS





BOUTIQUE MAG

**ATTACHMENT E
LETTER OF RATIONALE**



#200 - 110 E Cordova St
Vancouver BC, V6A 1K9
Canada

W: www.kiaro.com
E: hello@kiaro.com
T: 1.888.623.2420

Rezoning Rationale

May 14, 2019

**City of Nanaimo
Planning Department
455 Wallace Street
Nanaimo, BC V9R 5J6**

Re: Cannabis Retail Store Rezoning Rationale - Kiaro

Kiaro is pleased to submit this letter in support of its application for a Cannabis Retail Store ("CRS") in the City of Nanaimo.

About Kiaro

Kiaro is a B.C.-based cannabis brand that carries a variety of curated products appealing to individuals who wish to enjoy cannabis responsibly. Kiaro plans to open a number of fully compliant retail stores across Canada and, through its stores, offer a customized omni-channel cannabis experience that is inviting, convenient, and appealing, allowing consumers to choose safe and reputable products.

We achieve this through best in class staff training, strong product knowledge, and in store educational resources. We also seek to create true and long-lasting partnerships with the communities and neighbourhoods in which we operate by investing in meaningful community development initiatives that align with our vision and values. Kiaro's name derives from the Italian word chiaroscuro, meaning "to emerge from the darkness into light" – a nod to the new era of cannabis legalization.

Our Commitment

- Kiaro's leadership team is comprised of professionals across a variety of industries who have a track record of success and a dynamic plan for sustainable market growth based on a balanced commitment to our people, operations, and finances
- Kiaro represents a community-minded, full-service retail model focused on an exceptional retail experience
- Kiaro believes in partnering with the municipalities in which we will operate and commits to engaging in active and ongoing consultation to ensure we continue to educate and engage the communities we serve

- Kiaro believes in putting people first and creates a supportive working environment by investing in employee education and good management practices

Cannabis Retail Store Zoning Criteria

Kiaro has thoroughly reviewed the criteria required by the City of Nanaimo and has included a thorough rezoning rationale based on the policy endorsed by the City of Nanaimo Council on September 17, 2018.

Location

The location of the proposed CRS on 78 Wharf Street has been carefully chosen to take into consideration proximity to the items identified in section 1.1, 1.2, and 1.3 of the Cannabis Retail Store Zoning Criteria. The proposed CRS meets the required location criteria by being near an urban node, commercial centre or corridor, as designated in the City's Official Community Plan. It is not located directly adjacent, or in close proximity to a school or licensed daycare facility. The proposed site meets the necessary minimum separation of 200m from any of these facilities, as measured from the front door of the CRS to the school or daycare property line.

We have also identified a number of local adult subsidized housing and treatment centres in the downtown area within 1km of our proposed CRS. We are committed to engaging with these organizations prior to opening, and over the long-term. In order to incorporate their needs and feedback into our planning processes; and if the opportunity presents itself, to provide information and resources for their stakeholders about how the regulated retail cannabis sector can and will protect the interests of local residents by improving public health and safety, and curbing the presence of the illicit market in the community.

Moreover, the proposed CRS is in the downtown core, one of the densest urban areas of the City. While we understand that another CRS applicant is also pursuing a store in the area, we believe that this dynamic part of the City could benefit from two stores and, as outlined elsewhere in this document, Kiaro is fully committed to ensuring that we build a location that allows us to be partners in the downtown revitalization efforts to increase both commercial diversity and employment opportunities.

Building and Site

Kiaro has thoroughly reviewed Section 2.1, 2.2, and 2.3 of the Criteria and are committed to ensuring the CRS complies with these relevant sections, as well as with the City's Official Community Plan and the Downtown Centre Urban Node objectives. The proposed site shares the aims of downtown revitalization and was conceived to improve and enhance the aesthetics of the community and surrounding area to ensure a positive experience for local business owners, residents and visiting tourists. Our design and operating practices will ensure

the Downtown Centre can continue to foster an environment that is inviting, tourist-friendly and responsive to the needs of Nanaimo's citizens. The proposed site's operating hours and size are consistent with neighbouring businesses, and we are planning for significant upgrades to the building, including tenant improvements to the interior and exterior, as well as on-going maintenance, window cleaning and landscaping to complement the esthetics of the local community.

- Proposed Size of Facility: 1,900 sqft
- Proposed Operating Hours: 10:00am to 8:00pm, Sunday to Saturday

Kiaro has reviewed the parking bylaw No. 7266, Section 7.3 ii Downtown-Specified Area and will comply with the City's parking requirements. We are committed to facilitating ease of access to the CRS, and to reducing traffic congestion by encouraging our clients to utilize the available street parking out front of the proposed CRS, and within the downtown core. These available public parking spots also include designated handicap parking stalls directly across from the proposed CRS to increase accessibility and equitable access to the store. Kiaro is further committed to keeping our staff and clients educated about Nanaimo's Downtown Mobility Hub Project and will ensure that our staff and clients are informed about the free (and almost free) parking opportunities the City promotes on evenings and weekends as part of its strategy for a positive downtown Nanaimo parking experience.

We will also post information for our clients and staff featuring viable parking alternatives such as local bike parking options, and the locations of nearby parkades at the Dorchester Hotel on 12 Bastion; the Harbour Front Parkade on 51 Gordon and the Pioneer Parkade at 20 Anchor Way. Moreover, we will encourage our clients and staff to seek sustainable transit solutions and alternative modes of transportation to reduce reliance on personal vehicles, and to help reduce traffic congestion and advance a more environmentally friendly culture. Additionally, loading will be accommodated through the front door during the hours that the store is closed in order to further reduce impact on both foot and vehicle traffic in the area during business hours. Section 2.2.1 in relation to the revitalization of a heritage building is not applicable to this proposed application.

Community Impact

We are confident Kiaro will not only meet but exceed the community's expectations for a retail cannabis store. We have consulted with local residents and business owners in the area and are aware of potential challenges and negative impacts of the proposed CRS on the community. As a result, Kiaro has identified the specific measures to minimize or prevent these impacts from occurring by ensuring compliance through:

Training & Compliance

1. Ongoing staff training and staff meetings to review government policy bulletins, regulatory changes and municipal developments. This is over and above all mandatory government training
2. Store design and operating protocols that ensure no minors enter the premises
3. Ensuring that our staff is asking for two (2) pieces of identification, including one with a picture to confirm both age and identity. Kiaro commits to adherence to all federal and provincial laws and regulations, and will consistently implement compliance to the highest operational standards by only accepting the prescribed forms of primary and secondary ID options, and verifying the ID of every patron that enters the store
4. Regularly updating our staff on how to verify various kinds of ID from across the globe
5. Security cameras will be active and recording at all times, including when the store is not open for business
6. Security camera recordings will be turned over the B.C. Liquor and Cannabis Licensing Branch or law enforcement as required
7. The store layout will ensure that no cannabis products are visible from the street, and there will be no offsite storage of cannabis products to improve security and public safety
8. Strict inventory management and sales records will be maintained and made available to provincial government inspectors upon request
9. Patrons intoxicated by alcohol or drugs will be refused service and asked to leave the store immediately
10. Any patron causing a disturbance will be addressed promptly by staff and if behaviour is not immediately addressed, they will be asked to leave the store
11. An incident log will be maintained to report problematic patrons, accident or injury in the store, any illegal acts, or need to call emergency personnel. We will ensure that staff learnings are shared through review of the logbook and at regular staff meetings
12. Staff will cooperate at all times with law enforcement or inspectors
13. All cannabis products will remain in sealed containers, and no cannabis products will be opened in the store to prevent odours from impacting the community.
14. We will educate staff and customers that the excise tax label and other seals on cannabis product containers must remain intact while they are in transport to prevent odours and improve safety.
15. Cannabis products will not be accessible to customers other than at the point of sale and will otherwise be stored in the back room or in locked display cabinets which will further prevent odour issues and improve safety
16. Cannabis smell jars will be physically affixed to the counter and not accessible to touch by the customers

Community Contribution

17. Display of Signs in accordance with prohibitions outlined in Smoking Regulation Bylaw 2018 No. 7268 that state the phrase "no smoking" with a graphic symbol substantially

in the form shown on Schedule "B" attached to the bylaw, which will be a minimum of six centimeters in diameter and will include the words "City of Nanaimo Bylaw No.7268 Maximum Penalty \$10,000"

18. We will also work to educate our staff and clients about the prohibitions outlined in Smoking Regulation Bylaw 2018 No. 7268 with respect to no-smoking in local parks in our area (Bastion Square Park and Piper Park), as well as designated public spaces and required distancing protocols from transit stops
19. Display of social responsibility materials regarding health and safety impacts provided by government will be visible; and we will provide our own information in compliance with government guidelines
20. Annual community contributions will be given to help finance the objectives of the Official Community Plan and to support local charitable groups that help to alleviate poverty, and improve the quality of life for residents in the community experiencing financial hardship and transition challenges

Promotion

21. Semi-annual community open-house events will be hosted, where local business owners and residents can engage directly with Kiaro management at an off-site location to share their feedback and learn more about our activities in the community, and about the value of the regulated retail cannabis sector in terms of improving public health and safety and eroding the presence of the illicit market
22. All customers will be provided a shopping bag that complies with the advertising and promotional restricts in the federal Cannabis Act
23. There will be no online sales from the store or by Kiaro in B.C, no sales of gift cards and no delivery services to ensure compliance with provincial regulations

Projected Traffic Volumes and On-Street Parking

Kiaro has thoroughly reviewed Section 3.2 of the Criteria, as well as the Nanaimo Downtown Mobility Hub Project, and we are committed to ensuring the CRS complies with the relevant City requirements, and municipal objectives. Projected traffic volumes and on-street parking demands associated with the proposed CRS will not adversely impact the area, as the availability of parking downtown is considered sufficient to meet expected traffic volumes. We are committed to posting information for our clients and staff featuring viable parking alternatives like local bike parking options, and the locations of nearby parkades at the Dorchester Hotel on 12 Bastion; the Harbour Front Parkade on 51 Gordon and the Pioneer Parkade at 20 Anchor Way. All Kiaro staff will be encouraged to seek out transportation alternatives, such as public transportation and cycling, so that any potential impact of our staff parking needs on nearby residential and commercial areas is minimized, and an environmentally friendly culture is advanced to help reduce reliance on personal vehicles.

Consideration for Family Oriented Facilities

Kiara has also reviewed all of the family-oriented facilities located in close proximity to the proposed CRS (please see list below), and is committed to ensuring the impact on minors and families is minimized through operating hours that are consistent with neighbouring businesses; training our staff to strictly prohibit minors from entering the store; and through a store layout that will ensure that no cannabis products are visible from the street. Moreover, all cannabis products will remain in factory sealed containers, and no cannabis products will be opened or consumed in the store to prevent potential odours from impacting local foot traffic walking by. The proposed site also aims to enhance the aesthetics of the community, and surrounding area by ensuring our walk ways, windows, signage and general area are clean to prevent any unsightliness for local residents, and to foster a tourist-friendly environment for traveling guests to the City.

We have identified the following family-oriented facilities near the proposed CRS and will reach out to engage with each of these organizations prior to opening to ensure their comments and feedback are incorporated into our community planning:

- Vancouver Island Public Library
- Nanaimo Museum
- Port Theatre
- Nanaimo Art Gallery/Art Lab
- Harbour Dance Studio

Minimizing Odours

All legal cannabis products in Canada are packaged in smell proof and child resistant containers which are sealed at the manufacturer and may not be opened in the retail store. The product may also not be consumed on the premises or in the immediate vicinity of the store in accordance with prohibitions outlined in Smoking Regulation Bylaw 2018 No. 7268. These requirements mean that there should be no possibility of odour issues from the store, however, if there was ever a problem identified, we would immediately take measures to address it. Kiara is committed to consistently engaging with our local community of business neighbours and residents to ensure compliance, and to work towards collective solutions should any issues arise.

Preventing Smoking or Cannabis Consumption

"No Smoking" and "No Consumption" signs will be posted inside and outside of the store in accordance with prohibitions outlined in Smoking Regulation Bylaw 2018 No. 7268. The signs will be compliant with provincial regulations and municipal by-laws that restrict smoking. Anyone found to be smoking or otherwise consuming cannabis products in or near the store will be asked to leave immediately. We will also keep engaged with the local business

community, and residents in the area to ensure are meeting community expectations and working towards collective solutions if any issues arise.

Targeted Market Segments

All marketing and branding efforts will be undertaken in compliance with the marketing and advertising restrictions in the federal Cannabis Act and the provincial Cannabis Control and Licensing Act, as well as any additional restrictions put in place by the City of Nanaimo. Kiaro target demographics for the proposed CRS are set out as:

- Aged 24- 55 with 60% Male, 40% Female
- Post-secondary education
- Successful careers, with strong social connections with friends and family
- Active lifestyles and open-minded, interested in exploration such as travel, personal development, health and others
- Some cannabis experience, but limited product knowledge

Promoting the Cannabis Act and Cannabis Control and Licensing Regulations

Kiaro is committed to ensuring our retail cannabis stores not only meet but exceed the regulations set by the federal government, provinces and municipalities. We see our role as crucial to:

- Protecting young Canadians by keeping cannabis out of the hands of children and youth
- Enhancing public awareness about responsible use
- Improving public understanding about social stigma and legal issues
- Offering only legally sourced, federally approved, analytically tested products acquired from government authorized distributors and licensed producers

Integration of Cannabis Retail into the Establish Business Community

Prior to submission of Kiaro's application for a CRS in the community, we undertook engagement with the local business community, specifically the Nanaimo Chamber of Commerce, to discuss local community impact and business concerns related to the opening and operations of a CRS. Kiaro's engagement with local businesses and community stakeholders is a cornerstone of the work we undertake both prior and following the opening of any CRS. We are committed to ensuring we are integrated into the established business community by:

- Joining local business associations and boards to support the community's greater business development goals
- Providing educational resources through open-house and community events

- Executing a clean, modern design that compliments the community's business aesthetic
- Providing refined and sophisticated retail experience to destigmatize cannabis retail and compliment the City's downtown revitalization objectives
- Ongoing education for staff and providing only high-quality, analytically tested products
- Making ourselves available for additional consultation with the local business community

Community Notification and Engagement

In addition to the ongoing engagement with the local business community, and prior to the application proceeding to Council, we intend to fulfill requirement 3.3.1 of the Criteria to notify all neighbouring property owners within 200m of the proposed CRS, and we will provide a copy of the letter to the City for review prior to distribution. Moreover, Kiaro has developed robust ongoing community consultation, education and engagement plans. Part of these detailed plans include:

- Partnering with local thought leaders and licensed producers to provide educational resources about seed to sale
- Holding regular staff training events and consumer education programming
- Presenting to regulators and community stakeholder groups
- Ensuring there are multiple pathways for the community to provide feedback
- Engaging in a dialogue with the community through open-houses and education events

Positive Impacts for the Community

We believe Kiaro's planning and operational impacts will also create a number of positive outcomes for the community. Financial impacts in the local area will be realized through our commitment to sourcing out local service providers to help build and operationalize the proposed CRS; as well as through contributions by way of property taxes and licensing fees which will help strengthen local economic development and commercial diversity. Kiaro is also committed to creating positive social impacts by operationalizing a best-in-class retail experience to help destigmatize the retail cannabis sector; and by partnering with the communities in which we operate and engaging in active and ongoing consultation to ensure we continue to educate and inform key local business stakeholders and the public.

We believe in putting people first and in creating a supportive working environment by investing in employee education and good management practices. We know that knowledgeable, well trained and community-minded staff are the cornerstone of a successful cannabis retail store, and so in support of creating positive outcomes for the people and communities in which Kiaro operates, we are committed to:

- Inclusive hiring practices with above average wages for frontline staff, strong salaries for management, and comprehensive benefits packages for all team members
- Positive company culture, work/life balance, and professional development opportunities
- Ongoing product, systems and compliance training
- Supporting local community involvement and active volunteering within the municipality

Thank you very much for considering this application for a CRS. Should you have any further questions, please feel free to contact us directly.

Sincerely,

Kayleigh Donahue

Director, Business Development & Licensing at Kiaro

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ATTACHMENT F CRS REZONING APPLICATIONS-DOWNTOWN CORE MAP



City of Nanaimo
Cannabis Retail Store Rezoning Applications
Downtown Core

Legend

- ★ Approved CRS Location
- ★ Proposed CRS Location (Conditional Approval)
- ★ CRS Location Under Review

Published: October 7, 2019

0 25 50 100
Meters
1:1,500

CITY OF NANAIMO
THE NANAIMO DISTRICT
© 18
gisupport@nanaimo.ca

ATTACHMENT G
AERIAL PHOTO



REZONING APPLICATION NO. RA000436

LEGEND

 SUBJECT PROPERTY

CITY OF NANAIMO

BYLAW NO. 4500.161

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. 4500.161".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 5, BLOCK 58, SECTION 1, NANAIMO DISTRICT, PLAN 584, EXCEPT THAT PART THEREOF OUTLINED IN RED ON PLAN 182BL (120 Commercial Street) to allow Cannabis Retail Store as a site-specific use within the Core (DT1) Zone, as shown on Schedule A.

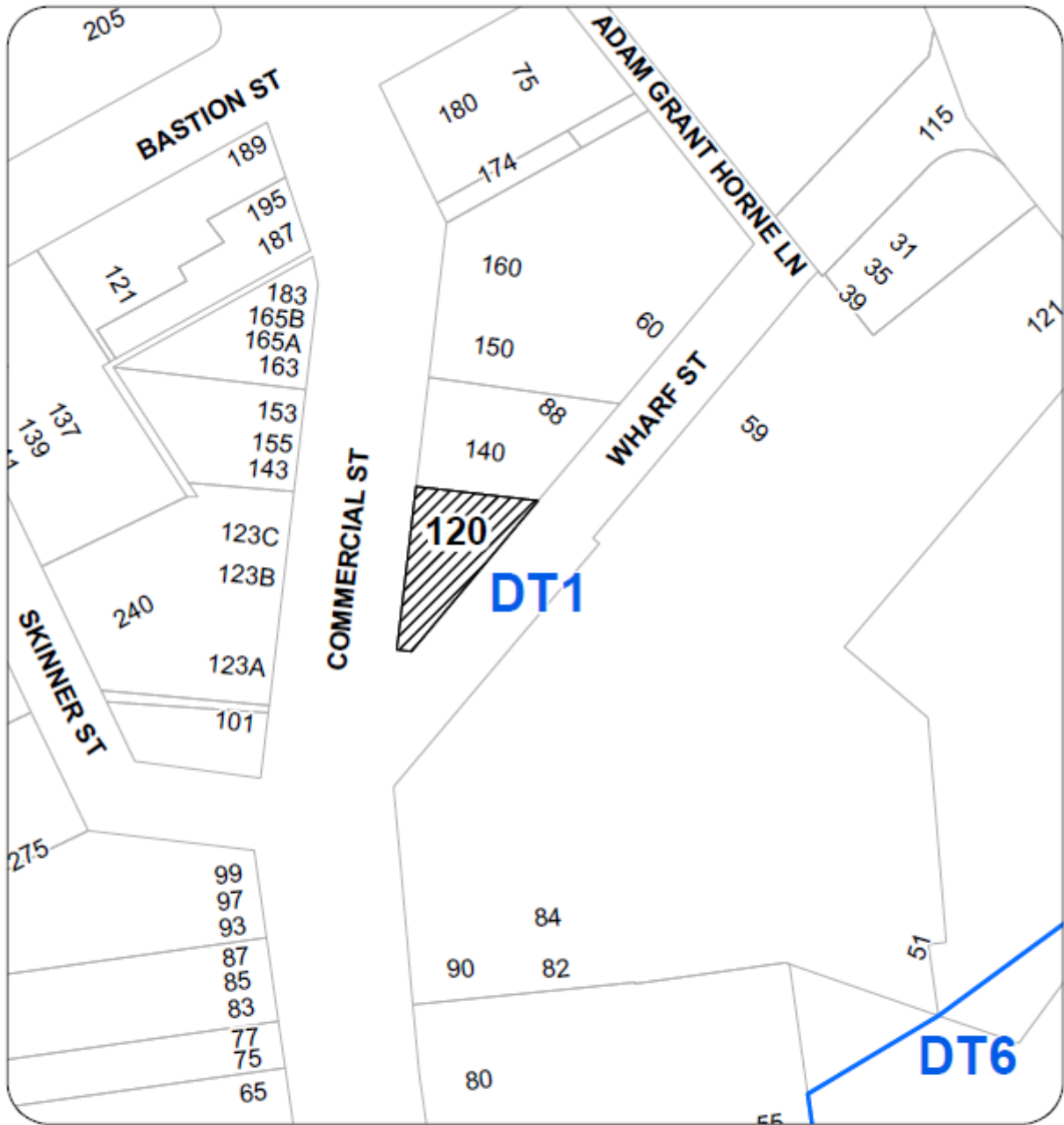
PASSED FIRST READING: _____
PASSED SECOND READING: _____
PUBLIC HEARING HELD: _____
PASSED THIRD READING: _____
MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000436
Address: 120 Commercial Street


SCHEDULE A



REZONING APPLICATION NO. RA000436



CIVIC: 120 COMMERCIAL STREET
LEGAL: LOT 5, BLOCK 58, SECTION 1, NANAIMO DISTRICT, PLAN 584
EXCEPT THAT PART THEREOF OUTLINED IN RED ON PLAN 182 BL

 SUBJECT PROPERTY