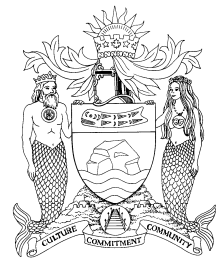


***Live Streaming/Telecast:** Please note that all Committees, Task Forces, Council Meetings, and Public Hearings held in the Council Chamber are being recorded and broadcasted as well included on the City’s website at: www.whiterockcity.ca

Corporate Administration
E-mail

(604) 541-2212
clerksoffice@whiterockcity.ca

THE CORPORATION OF THE
CITY OF WHITE ROCK
15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6



January 8, 2020

ON TABLE see page 38

A MEETING of the **LAND USE AND PLANNING COMMITTEE** will be held in the **CITY HALL COUNCIL CHAMBERS** located at 15322 Buena Vista Avenue, White Rock, BC, on **JANUARY 13, 2020 at 6:15 p.m.** for the transaction of business as listed below.

T. Arthur, Director of Corporate Administration

A G E N D A

1. **CALL TO ORDER**

2. **ADOPTION OF AGENDA**

RECOMMENDATION

THAT the Land Use and Planning Committee adopt the agenda for January 13, 2020 as circulated.

3. **ADOPTION OF MINUTES**

Page 3

a) December 16, 2019

RECOMMENDATION

THAT the Land Use and Planning Committee adopt the December 16, 2019 meeting minutes as circulated.

4. **INTRODUCTION OF GREG NEWMAN, MANAGER OF PLANNING**

5. **DRAFT PERMITS AND BYLAWS, AND PUBLIC HEARINGS/MEETINGS FOR CANNABIS STORE APPLICATIONS (TUP/DVP/LL 19-012, ZON 19-013, TUP/LL 19-014)**

Corporate report dated January 13, 2020 from the Director of Planning and Development Services titled “Draft Permits and Bylaws, and Public Hearings/Meetings for Cannabis Store Applications (TUP/DVP/LL 19-012, ZON 19-013, TUP/LL 19-014)”.

Page 5

RECOMMENDATIONS

THAT the Land Use and Planning Committee:

1. Receive for information the corporate report dated January 13, 2020 from the Director of Planning and Development Services titled “Draft Permits and Bylaws, and Public Hearings/Meetings for Cannabis Store Applications (TUP/DVP/LL 19-012, ZON 19-013, TUP/LL 19-014);”
2. Recommend that Council give first and second readings to “*White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-16 – Cannabis Retail) Bylaw, 2019, No. 2320*”;

3. Recommend that Council direct staff to schedule the required Public Hearing for the zoning amendment application at 15177 Thrift Avenue (Bylaw No. 2320);
4. Recommend that Council give first and second readings to “*White Rock Zoning Bylaw, 2012, No. 2000, Amendment (Cannabis Store Separations) Bylaw, 2020, No. 2323*”;
5. Recommend that Council direct staff to schedule the required Public Hearing for “*White Rock Zoning Bylaw, 2012, No. 2000, Amendment (Cannabis Store Separations) Bylaw, 2020, No. 2323*”;
6. Recommend that Council direct staff to schedule the required Public Meeting for Development Variance Permit No. 426 and Temporary Use Permit 19-012, in conjunction with the Public Hearing for Cannabis Licence Resolution Request 19-012 for 1484 Johnston Road;
7. Recommend that Council direct staff to schedule the required Public Meeting for Temporary Use Permit 19-014 in conjunction with the Public Hearing for Cannabis Licence Resolution Request 19-014 for 1550 Johnston Road;
8. Recommend that following the above-mentioned Public Hearings and Public Meetings, Council give third and final reading to Bylaw No. 2323 if more than one cannabis store is supported for approval; and
9. Recommend that following the above-mentioned Public Hearings and Public Meetings, Council:
 - a. approve or deny the applicable permits or amendment bylaw related to each application, and
 - b. give a resolution for each of the private applications to the Liquor and Cannabis Regulation Branch identifying if Council recommends approving or denying the cannabis retail store licence, and direct that the Director of Corporate Administration provide a copy of the staff report dated December 2, 2019 titled “Cannabis Retail Store Applications (TUP/DVP/LL 19-012, ZON 19-013, TUP/LL 19-014),” this corporate report dated January 13, 2020, the minutes of the applicable Public Hearing and Meeting, and Council’s resolution on the applicable permit(s) to the Liquor and Cannabis Regulation Branch as documentation of gathering the views of residents on the cannabis licence application as well as the views of the City on the general impact on the community if the application is approved.

6. CONCLUSION OF THE JANUARY 13, 2020 LAND USE AND PLANNING COMMITTEE MEETING

PRESENT: Mayor Walker
Councillor Chesney
Councillor Fathers
Councillor Johanson
Councillor Kristjanson
Councillor Manning
Councillor Trevelyan

STAFF: D. Bottrill, Chief Administrative Officer
T. Arthur, Director of Corporate Administration
C. Isaak, Director of Planning and Development Services
S. Lam, Deputy Corporate Officer

Press: 0
Public: 8

1. **CALL MEETING TO ORDER**
The meeting was called to order at 6:30 p.m.

2. **ADOPTION OF AGENDA**

2019-LU/P-043 **It was MOVED and SECONDED**
THAT the Land Use and Planning Committee adopts the agenda for December 16, 2019 as circulated.

CARRIED

3. **ADOPTION OF MINUTES**
a) December 2, 2019

2019-LU/P-044 **It was MOVED and SECONDED**
THAT the Land Use and Planning Committee adopts the following meeting minutes as circulated:

a) December 2, 2019.

CARRIED

4. **REVISED BUILDING DESIGN AND DRIVEWAY ACCESS LOCATION FOR THE DEVELOPMENT APPLICATION AT 1453 STAYTE ROAD (ZON&MJP 18-017)**
Corporate report dated December 16, 2019 from the Director of Planning and Development Services titled "Revised Building Design and Driveway Access Location for the Development Application at 1453 Stayte Road (ZON&MJP 18-017)".

The Director of Planning and Development Services gave an outline of the corporate report. This is an amendment to the application that was before the Committee in March 2019. The amendments were outlined in detail.

The following discussion points were noted:

- Questions were asked in regard to the nearby building to the south, the Arcadian and it's zoning / density
- Clarification was given that permitting a project to go to public hearing does not reflect on how Council will vote
- Some concern that the footprint is still large compared to the nearby properties / separation between the homes, would like to hear from the public

The Architect for the projects was asked to come forward for some questions:

- What is the plan for trees? They will be removed in accordance with the Arbourist Report that was conducted
- Due to moving the driveway there will now be 49 units as opposed to 50

2019-LU/P-045

It was MOVED and SECONDED

THAT the Land Use and Planning Committee:

1. Receives for information the corporate report dated December 16, 2019 from the Director of Planning and Development Services titled "Information Report on Revised Development Application – 1453 Stayte Road (ZON&MJP 18-017)"; and
2. Directs staff to prepare a revised draft Zoning Amendment Bylaw and Development Permit for Land Use and Planning Committee consideration after the applicant provides the final drawings and Traffic Impact Study regarding the proposed driveway access location change.

CARRIED


Councillor Johanson voted in the negative

5.

CONCLUSION OF THE DECEMBER 16, 2019 LAND USE AND PLANNING COMMITTEE MEETING

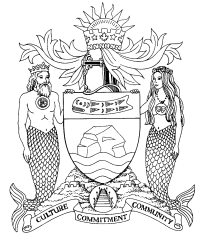
The Chairperson declared the meeting concluded at 6:47 p.m.

Mayor Walker



Tracey Arthur, Director of
Corporate Administration

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: January 13, 2020

TO: Land Use and Planning Committee

FROM: Carl Isaak, Director, Planning & Development Services

SUBJECT: Draft Permits and Bylaws, and Public Hearings/Meetings for Cannabis Store Applications (TUP/DVP/LL 19-012, ZON 19-013, TUP/LL 19-014)

RECOMMENDATIONS

THAT the Land Use and Planning Committee:

1. Receive for information the corporate report dated January 13, 2020 from the Director of Planning and Development Services titled “Draft Permits and Bylaws, and Public Hearings/Meetings for Cannabis Store Applications (TUP/DVP/LL 19-012, ZON 19-013, TUP/LL 19-014);”
2. Recommend that Council give first and second readings to “White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-16 – Cannabis Retail) Bylaw, 2019, No. 2320”;
3. Recommend that Council direct staff to schedule the required Public Hearing for the zoning amendment application at 15177 Thrift Avenue (Bylaw No. 2320);
4. Recommend that Council give first and second readings to “White Rock Zoning Bylaw, 2012, No. 2000, Amendment (Cannabis Store Separations) Bylaw, 2020, No. 2323”;
5. Recommend that Council direct staff to schedule the required Public Hearing for “White Rock Zoning Bylaw, 2012, No. 2000, Amendment (Cannabis Store Separations) Bylaw, 2020, No. 2323;”
6. Recommend that Council direct staff to schedule the required Public Meeting for Development Variance Permit No. 426 and Temporary Use Permit 19-012, in conjunction with the Public Hearing for Cannabis Licence Resolution Request 19-012 for 1484 Johnston Road;
7. Recommend that Council direct staff to schedule the required Public Meeting for Temporary Use Permit 19-014 in conjunction with the Public Hearing for Cannabis Licence Resolution Request 19-014 for 1550 Johnston Road;
8. Recommend that following the above-mentioned Public Hearings and Public Meetings, Council give third and final reading to Bylaw No. 2323 if more than one cannabis store is supported for approval; and
9. Recommend that following the above-mentioned Public Hearings and Public Meetings, Council:
 - a. approve or deny the applicable permits or amendment bylaw related to each application, and

- b. give a resolution for each of the private applications to the Liquor and Cannabis Regulation Branch identifying if Council recommends approving or denying the cannabis retail store licence, and direct that the Director of Corporate Administration provide a copy of the staff report dated December 2, 2019 titled “Cannabis Retail Store Applications (TUP/DVP/LL 19-012, ZON 19-013, TUP/LL 19-014),” this corporate report dated January 13, 2020, the minutes of the applicable Public Hearing and Meeting, and Council’s resolution on the applicable permit(s) to the Liquor and Cannabis Regulation Branch as documentation of gathering the views of residents on the cannabis licence application as well as the views of the City on the general impact on the community if the application is approved.

BACKGROUND

On December 2, 2019, the Land Use and Planning Committee received a corporate report titled “Cannabis Retail Store Applications (TUP/DVP/LL 19-012, ZON 19-013, TUP/LL 19-014)” and directed that staff prepare draft Temporary Use Permits and Development Variance Permit so that Council could direct staff to schedule Public Hearings and Public Meetings for all three of the cannabis store applications received by the City.

The application from “A Little Bud Cannabis” at 1484 Johnston Road (civic address of 1478 Johnston Road) for a Temporary Use Permit for a cannabis store also requires a Development Variance Permit to reduce the setback to an existing child care centre from 100 metres to 80 metres. The draft Temporary Use Permit 19-012 for this application is attached as Appendix A, and the draft Development Variance Permit No. 426 is attached as Appendix B.

The application from “Choom” at 1550 Johnston Road (civic address of 1542 Johnston Road) has a draft Temporary Use Permit 19-014 attached as Appendix C.

In order for Council to approve more than one cannabis store within 1000 metres of another cannabis store, an amendment to the Zoning Bylaw No. 2000 would be required, as that minimum separation distance which is currently in place would not allow for more than one cannabis store. A draft zoning amendment bylaw (Bylaw No. 2323) has been prepared that would replace this current separation distance with a maximum number of three cannabis stores within the Town Centre area. Draft Bylaw No. 2323 is attached as Appendix D.

The corporate report dated December 2, 2019 titled “Cannabis Retail Store Applications (TUP/DVP/LL 19-012, ZON 19-013, TUP/LL 19-014)” included a draft zoning amendment bylaw (Bylaw No. 2320) for the application from the BC Liquor Distribution Branch which would allow a cannabis store at 15177 Thrift Avenue in the CD-16 zone, as well as restricting the sale of cannabis accessories to within a cannabis store but not within 500 metres of a property where a cannabis store is permitted through zoning or a Temporary Use Permit. The draft Bylaw No. 2320 is attached as Appendix E, and the corporate report is attached as Appendix F (without appendices).

PAST PRACTICE / POLICY / LEGISLATION

Requirement for Public Meetings/Hearings for Applications

The City’s Planning Procedures Bylaw No. 2234 requires a Public Meeting for any Temporary Use Permit application or Development Variance Permit that Council is proposing to issue, and

Public Hearings are required for Zoning Amendment Bylaws (unless waived by Council in accordance with section 464(2) of the *Local Government Act*). Further, for cannabis licence applications from private operators, the Planning Procedures Bylaw requires a Public Hearing (which may be held in conjunction with required Public Meetings).

Requirement for Comments to LCRB for Private Store Applications

When the Liquor and Cannabis Regulation Branch (LCRB) receives an application for a cannabis retail store licence, before the licence is considered for approval it requires a resolution from the local government in favour of the application. If the local government makes a recommendation to deny the application the LCRB may not issue the licence, and if the local government makes a recommendation in favour of the application, then the LCRB has discretion whether or not to issue the licence.

When providing comments to the LCRB on an application, a local government must gather the views of residents and the comments must also:

- be in writing (this may or may not be in the form of a resolution)
- show that the local government has considered the location of the proposed store
- include the views of the local government on the general impact on the community if the application is approved
- include the views of residents if the local government has gathered residents' views, and a description of how they were gathered
- include the local government's recommendation as to whether the application should be approved or rejected and provide the reasons upon which the recommendation is based.

The local government should also provide any supporting documents referenced in their comments. A guideline document from the Province outlining local governments' role in licensing non-medical cannabis retail stores is attached as Appendix F.

White Rock Zoning Bylaw No. 2000 - Current Regulations for Cannabis Stores

The Zoning Bylaw currently does not permit cannabis stores in any zone. An amendment to the Zoning Bylaw would be required in order to permit a cannabis store (as applied for at 15177 Thrift Avenue by the BC Liquor Distribution Branch), or a Temporary Use Permit application may be approved to temporarily allow the use (as applied for at 1484 Johnston Road and 1550 Johnston Road) within the Town Centre area. The existing provisions for Temporary Use Permits for cannabis stores do not allow cannabis store to be located within 1000 metres of another cannabis store, which would only allow a single cannabis store in the Town Centre area.

If Council intends to approve more than one cannabis store within the Town Centre area, section 4.1.3(b)(ii) would need to be amended before the second store could be approved.

- 4.1.3 (b) A *cannabis store* authorized by a Temporary Use Permit issued under the provisions of the *Local Government Act* is permitted in the Town Centre area, bounded by North Bluff Road, George Street, Thrift Avenue, and Martin Street, in accordance with the following general conditions:
- i) the premises containing the *cannabis store* use shall be located a minimum of 100 metres from an entrance to an existing *child care centre* (notwithstanding, a new *child care centre* shall not be limited by the distance to a *cannabis store*);

- ii) the premises containing the *cannabis store* use shall be located a minimum of 1000 metres from another *cannabis store* within White Rock;
- iii) the premises containing the *cannabis store* use shall be located a minimum of 30 metres from Bryant Park, Hodgson Park, and the Town Square located at 1510 Johnston Road;
- iv) unless a government cannabis store, the *cannabis store* has a valid license issued in accordance with the *Cannabis Control and Licensing Act*, as amended;
- v) the cannabis store shall not sell any goods or things until the *Cannabis Act* has come into force, and it has obtained a valid business licence (no business licence will be issued to any applicant for cannabis store use unless the City has been provided with written consent by the Owner or the Owner's Agent as authorized in writing by the Owner).

ANALYSIS

The attached draft Temporary Use Permits for 1484 Johnston Road and 1550 Johnston Road reflect the specifics of each application, including the floor area of the store, operating hours, and parking spaces proposed by the applicants. The terms and conditions tie the Temporary Use Permits to the issuance of a licence from the LCRB and a business licence from the City, and also include the conditions that the Temporary Use Permit would be automatically revoked if the Provincial cannabis retail store licence is cancelled or if the property is deemed a nuisance property under the White Rock Unsightly Premises and Graffiti Abatement Bylaw.

If Council directs staff to schedule the public hearings and public meetings for all three applications, there would be four Public Hearings/Meetings scheduled, as follows:

1. *Public Hearing for Bylaw No. 2320* - for 15177 Thrift Avenue application from the BC Liquor Distribution Branch, and minimum distance for sale of cannabis accessories from cannabis stores
2. *Public Hearing for Bylaw No. 2323* to amend general zoning regulation that requires a 1000 metre separation between cannabis stores and has the effect of limiting the number of cannabis stores to one in the Town Centre
3. *Public Hearing/Meeting for TUP No. 19-012, DVP No. 426, and Cannabis Licence Resolution Request 19-012* – for 1484 Johnston Road application from A Little Bud Cannabis
4. *Public Hearing/Meeting for TUP No. 19-014 and Cannabis License Resolution Request 19-014* – for 1550 Johnston Road application from Choom BC

OPTIONS

The Land Use and Planning Committee can:

1. Recommend that Council give first and second readings to the draft zoning amendment bylaws in this corporate report and direct staff to schedule the required Public Hearings and/or Public Meetings (as applicable) in relation to each of the three proposals for a cannabis store;

2. Request that staff make amendments to the draft bylaws and/or permits for one or more of the applications for a cannabis store and direct staff to schedule; or
3. Direct staff not to proceed with one or more of the applications.

Option 1 is consistent with the direction provided by the Land Use and Planning Committee on December 2, 2019, and is incorporated into the recommendations at the beginning of this corporate report.

The recommendations at the beginning of this corporate report also provide direction on Council's future options if the public hearings and public meetings for these applications move ahead, including approval or denial of the application as well as providing a resolution to the Liquor and Cannabis Regulation Branch regarding the cannabis licence resolution request for the private cannabis store applicants.

CONCLUSION

This corporate report is provided to the Land Use and Planning Committee to introduce draft Temporary Use Permits for proposed cannabis stores at 1484 Johnston Road and 1550 Johnston Road, and a draft Development Variance Permit for the proposed store at 1484 Johnston Road, so that the required Public Meetings and Public Hearings for all three cannabis store applications (including the government store application at 15177 Thrift Avenue) can be scheduled. This report also introduces a draft Zoning Amendment Bylaw that would be required if Council is to approve more than one cannabis store in the Town Centre, and outlines the requirements for Council to provide comments to the Liquor and Cannabis Regulation on the private store applications.

Respectfully submitted,



Carl Isaak, MCIP, RPP
Director, Planning & Development Services

Comments from the Chief Administrative Officer:

This corporate report is provided for information and to introduce zoning bylaw amendments, temporary use permits, and a development variance permit associated with proceeding to public hearings and public meetings for three cannabis store applications that were introduced to the Land Use and Planning Committee on December 2, 2019.



Dan Bottrill
Chief Administrative Officer

- Appendix A: Draft Temporary Use Permit 19-012 for 1484 Johnston Road
- Appendix B: Draft Development Variance Permit No. 426 for 1484 Johnston Road
- Appendix C: Draft Temporary Use Permit 19-014 for 1550 Johnston Road
- Appendix D: Draft Zoning Amendment Bylaw, 2012, No. 2323 (Cannabis Store Separations)
- Appendix E: Draft Zoning Amendment Bylaw, 2010, No. 2320 (CD-16 Cannabis Retail) for 15177 Thrift Avenue
- Appendix F: Staff report dated December 2, 2019 titled “Cannabis Retail Store Applications (TUP/DVP/LL 19-012, ZON 19-013, TUP/LL 19-014)”

THE CORPORATION OF THE
CITY OF WHITE ROCK



TEMPORARY USE PERMIT NO. 19-012

1. This Temporary Use Permit No. 19-012 is issued to Wong Yuet Wah Chau and Rosa Kwok Lai Chow as the owner (hereinafter called the “Permittee”) and shall apply only to ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the City of White Rock, in the Province of British Columbia, and more particularly known and described as:

Legal Description:

West Half Lot 2 Except: The West 7 Feet; Section 11 Township 1 New Westminster District Plan 8096
PID: 011-426-381
(Civic: 1478 Johnston Road)

As indicated on Schedule A

(hereinafter referred to as "the Lands").

2. This Temporary Use Permit No. 19-012 is issued pursuant to the authority of Sections 492 and 493 of the *Local Government Act, R.S.B.C. 2015, Chapter 1* as amended, the “White Rock Zoning Bylaw, 2012, No. 2000” as amended; and in conformity with the procedure prescribed by the “City of White Rock Planning Procedures Bylaw, 2017, No. 2234” as amended.
3. Except as otherwise authorized by this permit, the terms, conditions and guidelines as set out in the "White Rock Zoning Bylaw, 2012, No. 2000" as amended shall apply to the Lands covered by this Temporary Use Permit:

- a) Permitted Temporary Uses
 - (i) *A cannabis store*

4. Terms and Conditions:

- a) Except as otherwise specified in this permit, all siting, construction, and use shall be in accordance with the provisions of the “White Rock Zoning Bylaw, 2012, No. 2000” as amended;
- b) The permittee must obtain a building permit and comply with the requirements of the BC Building Code for the construction of the interior tenant improvements;
- c) The premises containing the *cannabis store* use must be no larger than 160 square metres;
- d) The permittee must obtain a sign permit, and not have any signage promoting the business on the east side of the building;

- e) The driveway access must have a speed hump, stop sign, and pedestrian crossing warning sign installed on the property, in accordance with recommendations of the report dated June 27, 2019 from Aaron Chang, P.Eng, Creative Traffic Solutions, titled “1484 Johnston Road Traffic Engineering Services White Rock, BC, attached hereto as Schedule B;”
 - f) The driveway access must be delineated on the Johnston Road portion of the building to the satisfaction of the Director of Engineering and Municipal Services, in general accordance with recommendations of the report dated June 27, 2019 from Aaron Chang, P.Eng, Creative Traffic Solutions, titled “1484 Johnston Road Traffic Engineering Services White Rock, BC, attached hereto as Schedule B;”
 - g) The permittee must provide a minimum of nine on-site parking spaces for the *cannabis store* use;
 - h) The permittee must maintain a minimum of five off-site parking spaces for the employees of the *cannabis store*;
 - i) The *cannabis store* shall not be open to customers prior to 10:00 AM on any day and shall be closed no later than 11:00 PM from Monday to Saturday and 8:00 PM on Sunday;
 - j) The *cannabis store* shall not sell any goods or things until it has obtained a valid licence issued in accordance with the *Cannabis Control and Licensing Act*, as amended, and a valid business licence;
 - k) This temporary use permit is automatically revoked if the licence issued in accordance with the *Cannabis Control and Licensing Act*, as amended, is suspended or cancelled;
 - l) This temporary use permit is automatically revoked if the property is deemed a *nuisance* property under the White Rock Unsightly Premises and Graffiti Abatement Bylaw, 2013, No. 2019;
 - m) Nothing in this temporary use permit shall be construed as authorization for the carrying out of any activity which is a nuisance due to noise, light, odour, emission, vibration or other cause.
5. All definitions of words and phrases contained in Division 8 of the *Local Government Act, R.S.B.C. 2015, Chapter 1* as amended, and the “White Rock Zoning Bylaw, 2012, No. 2000” as amended, shall apply to this Temporary Use Permit and the attachments herein.
 6. This Permit is valid for a period of three years less a day from the date of the authorizing resolution, unless otherwise approved for further time extension by Council in accordance with the provisions of Section 497 of the *Local Government Act*.
 7. Where the holder of this Permit does not obtain required building permits and commence construction of the development as outlined in this Temporary Use Permit within two years after the date this Permit was authorized by Council, the Permit shall lapse, unless the Council, prior to the date the Permit is scheduled to lapse, has authorized further time extension of the Permit.
 8. This permit does not constitute a subdivision approval, a Tree Management Permit, a Demolition Permit, or a Building Permit.

Authorizing Resolution passed by the Council for the City of White Rock on the _____ day of _____, 2020.

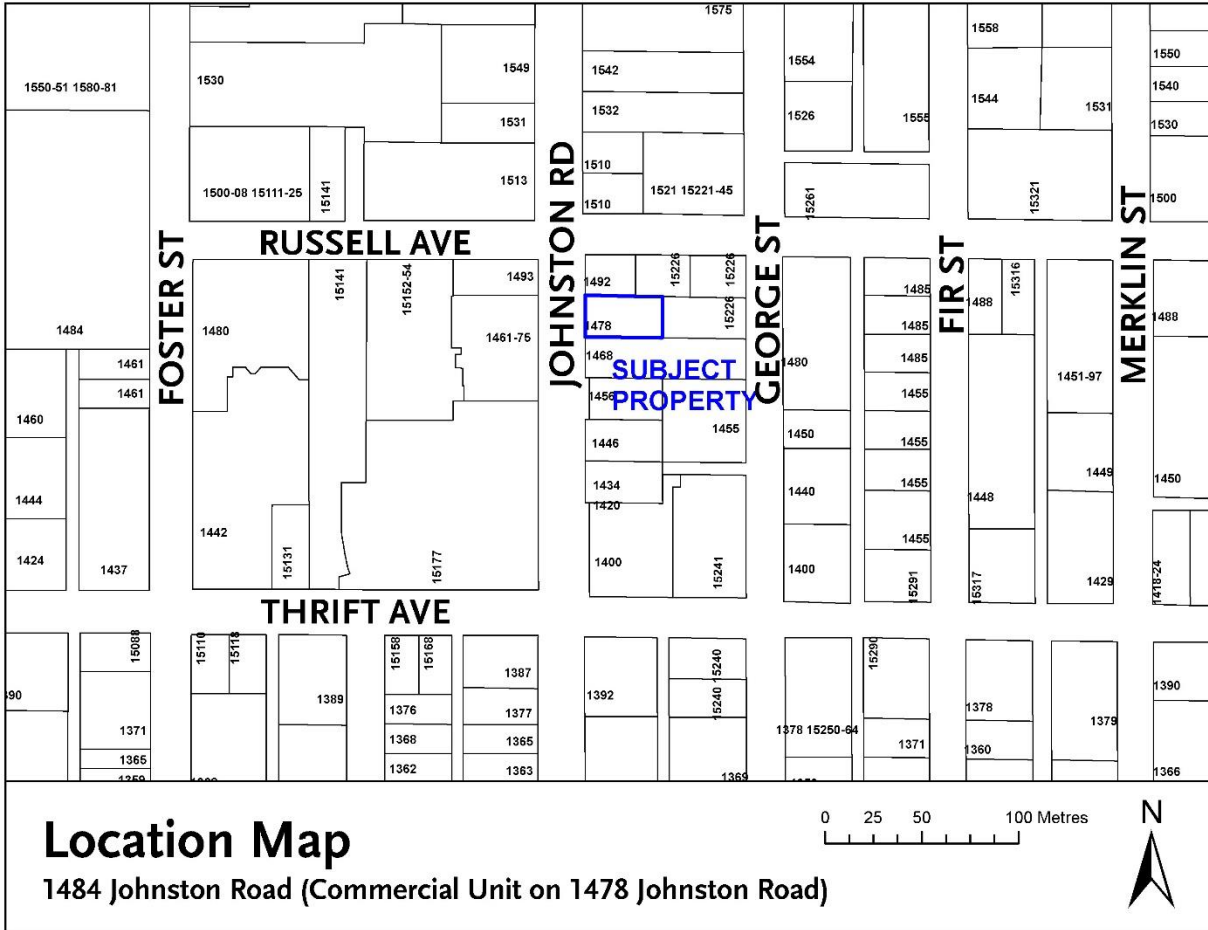
This Temporary Use Permit has been executed at White Rock, British Columbia on the _____ day of _____ 2020.

The Corporate Seal of THE CORPORATION OF THE CITY OF WHITE ROCK was hereunto affixed in the presence of:

Mayor - Authorized Signatory

Director of Corporate Administration - Authorized Signatory

Schedule A – Location Map



Location Map

1484 Johnston Road (Commercial Unit on 1478 Johnston Road)

0 25 50 100 Metres



Schedule B – Report dated June 27, 2019 from Aaron Chang, P.Eng, Creative Traffic Solutions, titled “1484 Johnston Road Traffic Engineering Services White Rock, BC



84a moody street
port moody, british columbia
canada v3h 2p5
604.936.6190
604.936.6175
www.cts-bc.com

MEMORANDUM

TO: Randy Tingskou, A Little Bud
FROM: Aaron Chan, P.Eng., CTS
DATE: 27 June 2019
RE: 1484 Johnston Road Traffic Engineering Services
White Rock, BC
FILE NO: 7082-061



Aaron Chan
28 June 2019

Creative Transportation Solutions Ltd. (CTS) is pleased to submit this **FINAL** memo summarizing our findings on the access review at 1484 Johnston Road in the City of White Rock.

The primary objectives of this assignment were as follows:

1. To conduct a site visit to document the existing condition and operation of the access and parking lot at 1484 Johnston Road in the City of White Rock;
2. To review the existing condition and operation of the access and parking lot and determine the appropriate justification to improve the operation and safety of the access and parking lot; and
3. To prepare a brief report summarizing the technical analysis, key findings and Recommendations.

This document summarizes our technical analysis, key findings and recommendations.

1.0 EXISTING CONDITIONS

1.1 Site Visit

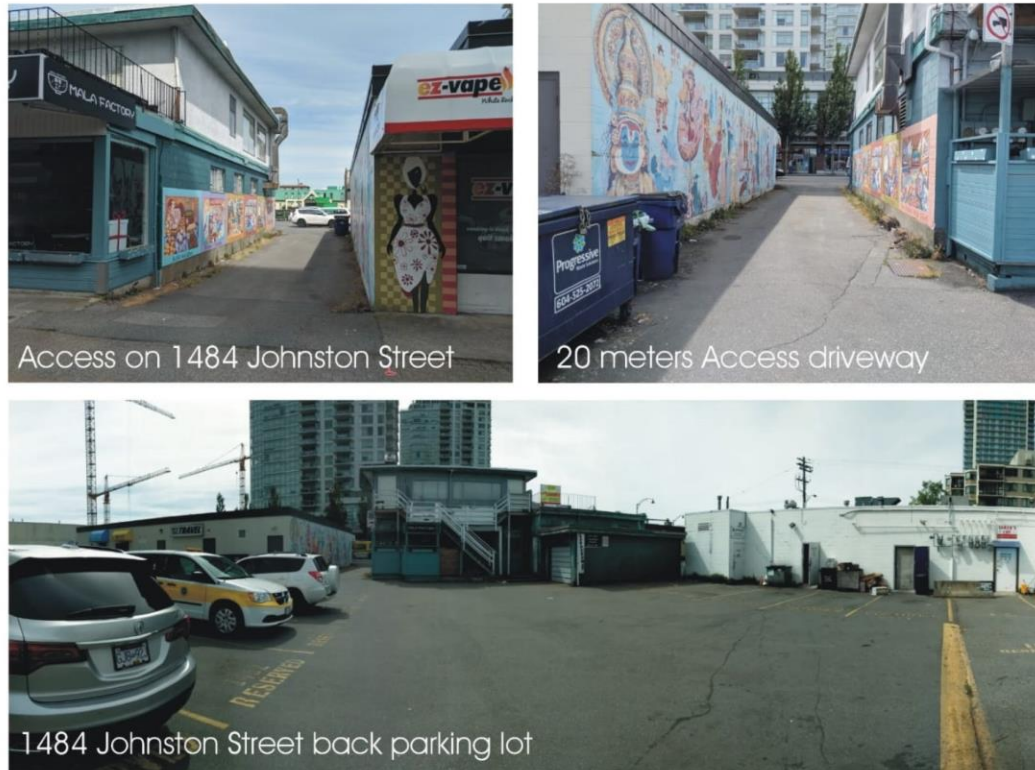
CTS conducted a site visit on Monday, June 17, 2019 to observe the existing condition of the access and parking lot at 1484 Johnston Road in the City of White Rock. From the site visit, we summarized the followings:

- The access is located between 1468 and 1478 Johnston Road with an access driveway of approximate 20 meters long and 4.3 meters wide;
- The distance from the curb edge to the building at the frontage of Johnston Road is approximate 3.5 meters, which includes 2 meters of the pedestrian sidewalk and 1.5 meters of the front porch;

- Motorist sight distances to the pedestrian on the sidewalk are limited by the buildings on both side of the access driveway when exiting the access;
- No operation issues were observed for motorist entering the access from Johnston Road;
- The 1484 Johnston Road back parking lot consists of 10 parking stalls and have sufficient space for a typical passenger car to make U-turns when all parking stalls are occupied;
- The 1484 Johnston Road back parking lot is connected to the parking lot of 15226 Russell Avenue with no fence or blockage in between;
- To access the 1484 Johnston Road back parking lot, motorist can use either the access on Johnston Road or the access on George Street (15226 Russel Avenue parking lot access);
- No vehicle was observed to use the parking lot as short-cut through the accesses from/to George Street to/from Johnston Road during the survey period.
- During the site visit between 15:00-16:00, a 30 minutes traffic count was conducted to the study access and parking lot. Only one vehicle was observed to leave the parking lot using the study access.

FIGURE 1 illustrated the photos of study access, access driveway and parking lot behind the building of 1484 Johnston Road.

FIGURE 1
STUDY ACCESS, ACCESS DRIVEWAY AND BACK PARKING LOT



2.0 DISCUSSION AND RECOMMENDATION

2.1 Discussion

From the observation documented in the section above, we noticed that the usage of the study access and parking lot is not significant. No capacity issues were identified. Also, no vehicle was observed to use the parking lot as short-cut through the accesses from/to George Street to/from Johnston Road during the survey period. It is expected that some motorists may use either the access on George Street or Johnston Road to access both the 1478 Johnston Road parking lot and 15226 Russel Avenue parking lot.

It is concerned that the limited motorists' visibility when exiting the access to Johnston Road as the buildings on both sides of the access driveway block the motorists view to the pedestrian on sidewalk at the frontage of 1478 Johnston Road. To mitigate the situation, a speed hump could be used to slow the traffic at the access driveway in addition to a warning and stop signs to warn the motorists to stop for pedestrian crossing ahead on the sidewalk. Also, to improve the motorists' visibility to the pedestrian, a meter-high fences or delineators could be used to block the pedestrian crossing the access at the

front porch area while letting the motorists to advance forward 1.5 meters for better visibility.

It is also concerned that the access driveway width is approximate 4.3 metres, which is not sufficient for two-way traffic at the same time. Based on the current access traffic volume, conflicts between opposite traffic at the access driveway is negligible. No action is required to mitigate the opposite traffic conflicts at the moment. Consideration for mitigation when the access traffic volume is over 30 vehicles per hour.

2.2 Recommendation

Based on the findings, CTS recommended that:

- Installing the speed hump, “Stop” sign, “Pedestrian Crossing” Warning sign to the access driveway;
- Installing 1-meter tall fences or delineators at the front porch on both sides of the access driveway.

FIGURE 2 illustrated the proposed locations of the fences/delineators and speed hump

**FIGURE 2
PROPOSED LOCATION OF THE FENCES/DELINEATORS AND SPEED HUMP**



**THE CORPORATION OF THE
CITY OF WHITE ROCK**



DEVELOPMENT VARIANCE PERMIT NO. 426

1. Development Variance Permit No. 426 is issued to **Wong Yuet Wah Chau and Rosa Kwok Lai Chow** as the owner and shall apply only to ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of White Rock, in the Province of British Columbia, and more particularly known and described as:

Legal Description:

West Half Lot 2 Except: The West 7 Feet; Section 11 Township 1 New Westminster
District Plan 8096
(Civic: 1478 Johnston Road)

PID: 011-426-381

As indicated on Schedule A – Subject Property Location Map

2. Development Variance Permit No. 426 is issued pursuant to the authority of Section 498 of the *Local Government Act*, R.S.B.C. 2015, Chapter 1 as amended, and in conformity with the procedures prescribed by "White Rock Planning Procedures Bylaw, 2017, No. 2234" as amended.
3. The provisions of "White Rock Zoning Bylaw, 2012, No. 2000 as amended, is varied as follows:

Section 4.1.3(b)(i) is varied to reduce the required setback from the premises containing the *cannabis store* use to existing *child care centre* from 100 metres to 80 metres.
4. Said lands shall be developed strictly in accordance with the terms and conditions and provisions of this Development Variance Permit.

Terms and Conditions:

5. The variance is for the use of commercial premises within the existing building as a *cannabis store*.
6. This permit expires in the event that the existing building is demolished or if the licence issued in accordance with the *Cannabis Control and Licensing Act*, as amended, is cancelled. Any new buildings or structures will be required to meet the Zoning Bylaw requirements in place at the time of the building permit application.
7. Where the holder of this Development Variance Permit does not receive final approval of a building permit for the tenant improvements for the proposed *cannabis store* use within

two (2) years after the date this Permit was issued, the Permit shall lapse, unless the Council, prior to the date the Permit is scheduled to lapse, has authorized the extension of the Permit.

8. This Development Variance Permit does not constitute a building permit.

Authorizing Resolution passed by the City Council on the _____ day of _____, 2020.

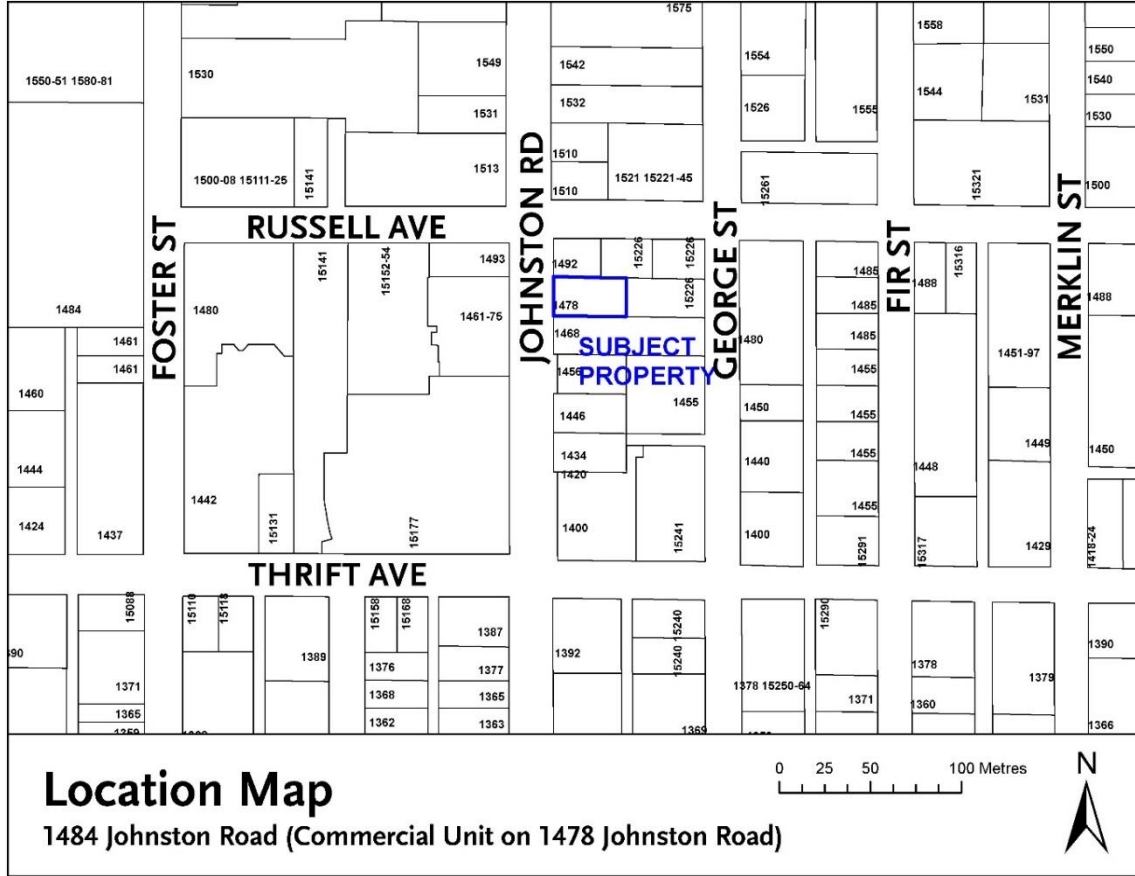
This Development Variance Permit has been executed at the City of White Rock, British Columbia, the _____ day of _____, 2020.

The Corporate Seal of THE CORPORATION
OF THE CITY OF WHITE ROCK was hereunto
affixed in the presence of:

Mayor – Darryl Walker
Authorized Signatory

Director of Corporate Administration – Tracey Arthur
Authorized Signatory

Schedule A – Subject Property Location Map



**THE CORPORATION OF THE
CITY OF WHITE ROCK**



TEMPORARY USE PERMIT NO. 19-014

1. This Temporary Use Permit No. 19-014 is issued to King Day Holdings Ltd. as the owner (hereinafter called the "Permittee") and shall apply only to ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the City of White Rock, in the Province of British Columbia, and more particularly known and described as:

Legal Description:

Lot 4 Except: The West 7 Feet; Section 11 Township 1 New Westminster District Plan 8437
PID: 007-842-848
(Civic: 1542 Johnston Road)

As indicated on Schedule A

(hereinafter referred to as "the Lands").

2. This Temporary Use Permit No. 19-014 is issued pursuant to the authority of Sections 492 and 493 of the *Local Government Act, R.S.B.C. 2015, Chapter 1* as amended, the "White Rock Zoning Bylaw, 2012, No. 2000" as amended; and in conformity with the procedure prescribed by the "City of White Rock Planning Procedures Bylaw, 2017, No. 2234" as amended.
3. Except as otherwise authorized by this permit, the terms, conditions and guidelines as set out in the "White Rock Zoning Bylaw, 2012, No. 2000" as amended shall apply to the Lands covered by this Temporary Use Permit:
 - a) Permitted Temporary Uses
 - (i) A *cannabis store*

4. Terms and Conditions:

- a) Except as otherwise specified in this permit, all siting, construction, and use shall be in accordance with the provisions of the "White Rock Zoning Bylaw, 2012, No. 2000" as amended;
- b) The permittee must obtain a building permit and comply with the requirements of the BC Building Code for the construction of the interior tenant improvements;
- c) The premises containing the *cannabis store* use must be no larger than 80 square metres;
- d) The permittee must obtain a sign permit;
- e) The permittee must provide a minimum of two on-site parking spaces for the *cannabis store* use;

- f) The *cannabis store* shall not be open to customers prior to 9:00 AM on any day and shall be closed no later than 9:00 PM on any day;
 - g) The *cannabis store* shall not sell any goods or things until it has obtained a valid licence issued in accordance with the *Cannabis Control and Licensing Act*, as amended, and a valid business licence;
 - h) This temporary use permit is automatically revoked if the licence issued in accordance with the *Cannabis Control and Licensing Act*, as amended, is suspended or cancelled;
 - i) This temporary use permit is automatically revoked if the property is deemed a *nuisance* property under the White Rock Unsightly Premises and Graffiti Abatement Bylaw, 2013, No. 2019;
 - j) Nothing in this temporary use permit shall be construed as authorization for the carrying out of any activity which is a nuisance due to noise, light, odour, emission, vibration or other cause.
5. All definitions of words and phrases contained in Division 8 of the *Local Government Act, R.S.B.C. 2015, Chapter 1* as amended, and the “White Rock Zoning Bylaw, 2012, No. 2000” as amended, shall apply to this Temporary Use Permit and the attachments herein.
 6. This Permit is valid for a period of three years less a day from the date of the authorizing resolution, unless otherwise approved for further time extension by Council in accordance with the provisions of Section 497 of the *Local Government Act*.
 7. Where the holder of this Permit does not obtain required building permits and commence construction of the development as outlined in this Temporary Use Permit within two years after the date this Permit was authorized by Council, the Permit shall lapse, unless the Council, prior to the date the Permit is scheduled to lapse, has authorized further time extension of the Permit.
 8. This permit does not constitute a subdivision approval, a Tree Management Permit, a Demolition Permit, or a Building Permit.

Authorizing Resolution passed by the Council for the City of White Rock on the _____ day of _____, 2020.

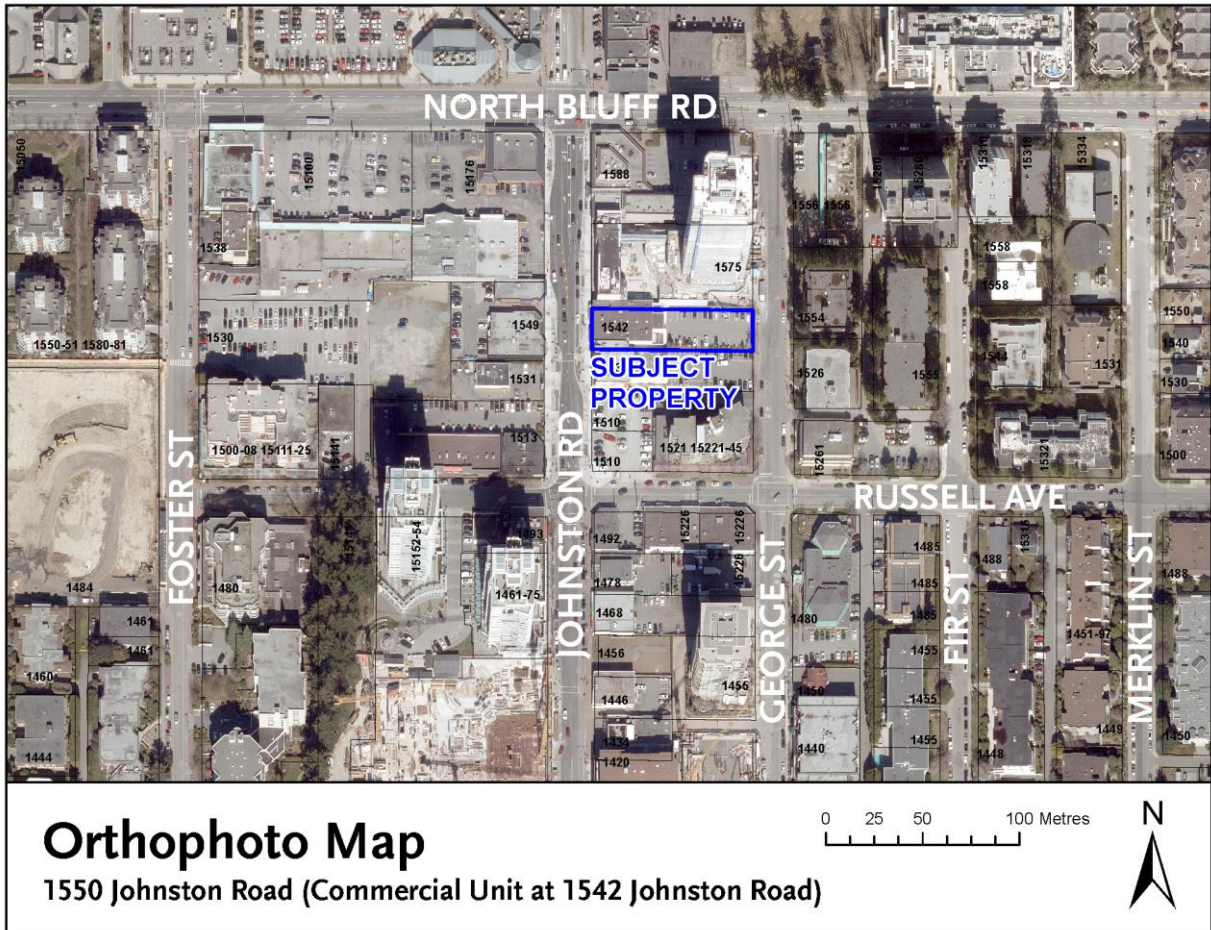
This Temporary Use Permit has been executed at White Rock, British Columbia on the _____ day of _____ 2020.

The Corporate Seal of THE CORPORATION
OF THE CITY OF WHITE ROCK was hereunto
affixed in the presence of:

Mayor - Authorized Signatory

Director of Corporate Administration - Authorized Signatory

Schedule A – Orthophoto Location Map



The Corporation of the
CITY OF WHITE ROCK
BYLAW 2323



A Bylaw to amend the
"White Rock Zoning Bylaw, 2012, No. 2000" as amended

The CITY COUNCIL of the Corporation of the City of White Rock, in open meeting assembled, ENACTS as follows:

1. That Section 4.1 "Uses Permitted/Not Permitted – General" of the "White Rock Zoning Bylaw, 2012, No. 2000" as amended, be amended as follows:
 - (1) By deleting the existing section 4.1.3(b)(ii) in its entirety and replacing it with the following new section 4.1.3(b)(ii):
 - (ii) there shall be no more than three lots containing a *cannabis store* use in the area bounded by North Bluff Road, George Street, Thrift Avenue, and Martin Street;
2. This Bylaw may be cited for all purposes as the "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (Cannabis Store Separations) Bylaw, 2020, No. 2323".

RECEIVED FIRST READING on the	day of	January, 2020
RECEIVED SECOND READING on the	day of	January, 2020
PUBLIC HEARING held on the	day of	
RECEIVED THIRD READING on the	day of	
RECONSIDERED AND FINALLY ADOPTED on the	day of	

Mayor

Director of Corporate Administration

The Corporation of the CITY OF WHITE ROCK BYLAW 2320



A Bylaw to amend the
"White Rock Zoning Bylaw, 2012, No. 2000" as amended

The CITY COUNCIL of the Corporation of the City of White Rock, in open meeting assembled, ENACTS as follows:

1. That Section 4.1 "Uses Permitted/Not Permitted – General" of the "White Rock Zoning Bylaw, 2012, No. 2000" as amended, be amended as follows:
 - (1) By deleting the existing section 4.1.5 in its entirety and replacing it with the following new section 4.1.5:
 - 4.1.5 a) The commercial cultivation, growth, production, storage, barter or sale of cannabis, or any products containing or derived from cannabis, is not permitted in any zone except as otherwise provided in this bylaw. This includes licensed producers regulated under applicable provincial or federal legislation, and *cannabis stores*.
 - b) The retail sale of cannabis accessories, as defined by the federal *Cannabis Act*, is permitted within a *cannabis store* but is not permitted within 500 metres of a zone that permits a *cannabis store* or within 500 metres of a property where a *cannabis store* is authorized by a Temporary Use Permit.

2. That Section 7.16 of Schedule "B" – Comprehensive Development Zones' of the "White Rock Zoning Bylaw, 2012, No. 2000" as amended, be amended as follows:
 - (1) By adding a new permitted use in subsection 7.16.1 in the correct alphabetical order, as follows:
 - (g) a *cannabis store*

 - (2) By adding a new location of permitted uses in subsection 7.16.2(a), as follows:
 - (iv) a *cannabis store* must only be located in the 1st floor of the building identified as Building 3 on the plans, and the commercial retail space containing the *cannabis store* shall be not be located within 8 metres of Johnston Road

3. This Bylaw may be cited for all purposes as the "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-16 – Cannabis Store) Bylaw, 2019, No. 2320".

PUBLIC INFORMATION MEETING on the	18 th day of	September, 2019
RECEIVED FIRST READING on the	day of	
RECEIVED SECOND READING on the	day of	
PUBLIC HEARING held on the	day of	

RECEIVED THIRD READING on the _____ day of _____
RECONSIDERED AND FINALLY ADOPTED on the _____ day of _____

Mayor

Director of Corporate Administration

THE CORPORATION OF THE
CITY OF WHITE ROCK
 CORPORATE REPORT



DATE: December 2, 2019

TO: Land Use and Planning Committee

FROM: Carl Isaak, Director of Planning and Development Services

SUBJECT: Cannabis Retail Store Applications (TUP/DVP/LL 19-012, ZON 19-013, TUP/LL 19-014)

RECOMMENDATIONS

THAT the Land Use and Planning Committee:

1. Receive for information the corporate report dated December 2, 2019 from the Director of Planning and Development Services, titled “Cannabis Retail Store Applications (TUP/DVP/LL 19-012, ZON 19-013, TUP/LL 19-014);”
 2. Recommend that Council give first and second readings to “White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-16 – Cannabis Retail) Bylaw, 2019, No. 2320; and
 3. Recommend that Council direct staff to schedule the required Public Hearing for the zoning amendment application at 15177 Thrift Avenue.
-

EXECUTIVE SUMMARY

The Planning and Development Services Department has received three separate proposals for a non-medical cannabis retail store, all located within the Town Centre area. The use of a property for the sale of cannabis is currently not permitted in any zone, and to allow any of these proposals would require Council’s approval in the form of either a Temporary Use Permit or an amendment to the zoning bylaw. The submitted applications include two Temporary Use Permit applications from private proponents, and one zoning amendment application for a government cannabis store that would be operated by the BC Liquor Distribution Branch. The civic address and respective applicant for each proposal is noted below:

- 1484 Johnston Road – A Little Bud Cannabis Ltd. (private)
- 15177 Thrift Avenue – BC Liquor Distribution Branch (government)
- 1550 Johnston Road – Choom BC Retail Holdings Inc. (private)

All three submitted applications have conducted a Public Information Meeting to discuss their proposal with the public and obtain early feedback on their application. This corporate report provides the Land Use and Planning Committee (LUPC) with staff’s evaluation of the three applications in relation to the assessment criteria that were shared with the Governance and Legislation Committee on February 25, 2019, and the preliminary public feedback.

Of the three proposals, staff consider that the rezoning application at 15177 Thrift Avenue (within Phase 2 of Miramar Village; currently under construction) is the preferred option based on meeting or exceeding the majority of the assessment criteria.

The Temporary Use Permit application at 1550 Johnston Road (the current location of ‘Health Express’) generally meets the expectations of the assessment criteria, however the location offers fewer parking spaces than will be available for the commercial parking at Miramar Village.

The Temporary Use Permit application at 1484 Johnston Road would have similar on-site parking constraints and also require a Development Variance Permit to reduce the minimum setback distance from a cannabis retail store to an entrance to a child care, and the City has received a petition and letters opposed to that application from both the child care centre and the church where the child care centre is located; this application is not recommended to be moved forward.

While the existing framework in the Zoning Bylaw for cannabis retail stores anticipates that a single location would be allowed in the city through a Temporary Use Permit, Council is not obligated to approve any of the proposals, or alternately could direct staff to amend the Zoning Bylaw to allow more than one location.

If Council elects to move one or more applications forward for consideration, the next step in the process would be to schedule a Public Meeting/Public Hearing for Council to receive representations from the public on the application(s), following first and second readings of a zoning amendment bylaw, if applicable.

Should Council consider approving a cannabis retail store, staff also recommend that the Zoning Bylaw be amended concurrently to require that sale of cannabis accessories (as defined under the federal *Cannabis Act*) be no closer than 1 kilometre from a cannabis retail store, to prevent an overconcentration of similar businesses within the vicinity of a cannabis retail store.

PAST PRACTICE/POLICY/LEGISLATION

Federal and Provincial Legislation

On October 17, 2018 cannabis became legal in Canada, according to Federal Government Bills C-45 and C-46. The Province has implemented this legalization in BC through two pieces of cannabis legislation. The first is the *Cannabis Distribution Act* (CDA), which enables the Province to be the sole wholesale distributor of cannabis and operate government (or ‘public’) cannabis retail stores, as well as establish an online system for the sale of cannabis and cannabis accessories, through the existing Provincial Liquor Distribution Branch (LDB).

The second Provincial legislation is the *Cannabis Control and Licensing Act* (CCLA), which includes minimum age of possession, personal cultivation and consumption regulations, and sets out a retail licensing regime (for privately operated stores), among other items.

The Provincial Liquor and Cannabis Regulation Branch (LCRB) is responsible for licensing privately operated cannabis retail stores and monitoring the cannabis retail sector. In terms of the approval process for government or private cannabis retail stores, applicants must receive local government support, by way of Council resolution (or comments and recommendation from a Council-delegated person), to receive a retail license from the Province.

City of White Rock Framework

June 25, 2018 Corporate Report to Land Use and Planning Committee

Phase 1 of the Zoning Bylaw Update was undertaken in May 2018, and included public consultation on cannabis legalization and how it could relate to potential retail sales, personal cultivation and consumption in White Rock. Based on the feedback received and staff analysis regarding land use compatibility, urban design and local retail context considerations, on June 25, 2018 staff presented preliminary directions regarding cannabis to LUPC. This report included a recommendation to update the existing smoking and vaping prohibitions in the White Rock Public Health Smoking Protection Bylaw (citing cannabis as prohibited), and a Zoning Bylaw update to allow cannabis retail store(s), according to these options that reflected a ‘limited and gradual’ approach to allowing cannabis retail sales in White Rock:

- Option 1: Continue Cannabis Prohibition (no stores; cannabis available by on-line sales);
- Option 2: Single Store Pilot (Town Centre only);
- Option 3: Multiple Stores (max. three stores, 1 in Town Centre, 2 on Waterfront); and
- Option 4: Graduated Multiple Store Approach (Town Centre now, Waterfront later).

LUPC directed staff to bring forward amendments to the White Rock Public Health Smoking Protection Bylaw (cannabis prohibition), and Zoning Bylaw, according to ‘Option 2’ above.

July 9, 2018 Corporate Report to Land Use and Planning Committee

On July 9, 2018, staff brought forward detailed amendments to the Public Health Smoking Protection Bylaw and the Zoning Bylaw to implement the proposed preliminary directions, including Temporary Use Permit (TUP) provisions that would enable ‘Option 2’ and allow for a single cannabis store in White Rock’s Town Centre area. A TUP, by way of specific land use, design and business license regulations in the Zoning Bylaw, can be used to determine the exact location of a cannabis retail store, as well as the conditions under which it would operate.

Relative to zoning for cannabis retail, which allows it on a property as a ‘right’ (potentially long term), the TUP approach allows the City to revoke the TUP and remove store operations if issues arise that are not remedied by the store operator. A TUP can remain in effect for up to three years, and an additional three years if renewed by Council. Once a TUP lapses, the use ceases until a new TUP is approved by Council. Council may choose at some point in the future to consider a rezoning for a ‘good operator’, where a cannabis retail store has been operating with a TUP for a reasonable amount of time and without negative impacts to surrounding properties.

November 19, 2018 Corporate Report to Land Use and Planning Committee

On November 19, 2018, Council received a corporate report titled “Cannabis Legalization Status Report and Next Steps,” that noted the Planning Procedures Bylaw and Business License Bylaw would need to be amended to establish an application process and parameters for a cannabis store in White Rock.

February 25, 2019 Corporate Report to Governance and Legislation Committee

On February 25, 2019, the Governance and Legislation Committee received a corporate report titled “Amendments to the Planning Procedures Bylaw and Business Licence Bylaw for Cannabis Store Application Process,” and subsequently Council approved the amendments to those bylaws as recommended in the report, enabling an application process for Temporary Use

Permits specifically for cannabis retail stores as well as establishing business licence fees for cannabis retail stores.

ANALYSIS

Temporary Use Permits versus Zoning Amendment

As noted in the Past Practice section above, the initial adoption of a Temporary Use Permit (TUP) framework to enable a single cannabis retail store in the City was seen as a ‘limited and gradual’ approach to introducing what is a relatively uncommon and potentially higher impact land use to a city with a small commercial area. By the City having the ability to impose conditions on a permit holder and revoke the permit if issues related to the conditions were not resolved, this would help to mitigate the risk that an irresponsible business could set up under a more permissive zoning bylaw framework (i.e. where cannabis stores were outright permitted in a particular zone), cause issues in the community and then be able to continue to operate even if the zoning bylaw were changed to no longer allow them, as a legally non-conforming use.

While the application from the BC Liquor Distribution Branch (LDB) is a rezoning application and not a Temporary Use Permit application, it is still being processed as part of the overall single store pilot approach. The process for selecting a single cannabis retail store is not a ‘first-come, first-served’ approach, and the purpose of setting up assessment criteria was to provide a more objective basis for comparing various locations, proponents and their proposals. Ultimately Council has the discretion to choose none of the proposals, or to choose a proposal that is rated lower than another, based on other factors that Council considers relevant.

The LDB identified in discussion with staff that as their organization is accountable to taxpayers, and there are considerable expenses in the tenant improvements needed to set up and operate a store, that they would be pursuing a zoning amendment application for their proposed location. As the LDB is a government organization with a long track record of operator liquor stores across British Columbia, some of the concerns around irresponsible business practices by that prompted the TUP approach are less relevant.

Overall Evaluation

The summary of the assessment criteria for the applications at 1484 Johnston Road, 15177 Thrift Avenue, and 1550 Johnston Road are included at Appendices A, B, and C respectively. In the following sections the highlights of each application (merits and concerns) are provided.

15177 Thrift Avenue – BC Liquor Distribution Branch

As the public store operator in BC, the LDB is already operating non-medical cannabis retail stores in seven locations across the province, with more locations set to open in the near future. The LDB also provides online sale of cannabis, and as the public liquor retailer it operates 197 BC Liquor Stores. This experience in legal cannabis sales and extensive experience in the retail business with other regulated products is an advantage in demonstrating responsibility, commitment to educating the public on responsible use, and accountability. Other unique aspects of being a public store operator include that revenue generated through LDB is remitted back to the Provincial Government to support public services. As the legal cannabis retail industry is relatively new and the distribution networks are getting established, the revenues are anticipated to increase over time.

The location proposed for the BC LDB store is a 325 square metre (3,500 square foot) space in a mixed use residential and commercial development (Miramar Village, Phase 2) which is currently under construction. As there will be multiple retailers in the development, including a food/grocery store, the total customer parking available in this location (approximately 180 in the parkade as well as some surface parking) far exceeds the amount of parking which is provided by the other proposals. Given the multiple tenants in this building, it is likely that the security (e.g. fire alarm) arrangements will be more complex in order to meet BC Building Code requirements than a 'standalone' store, however as the building is not complete it is anticipated that accounting for this added complexity can be accommodated prior to the occupancy of the building.

The assessment criteria state that if an application is within 200 metres of a child care centre that the applicant discuss any mitigation measures that are required. The estimated distance from the premises at Miramar Village to the St. John's Child Care Centre at 1480 George Street is approximately 190-200 metres, and as the store façade and entrance would be facing an interior walkway (i.e. not on Johnston Road), it would not be visible to children being dropped off at the child care centre and additional mitigation is not applicable.

While it is not the practice of the BC LDB to enter into individual good neighbour agreements with each city where they are operating, they have an extensive track record of social responsibility initiatives and campaigns to both support the community and reduce nuisance and health issues related to their products.

The LDB has indicated that most of their stores are open between 10am and 10pm, though they are open to adjusting these following consultation with a local government.

Staff consider that the proposal at 15177 Thrift Avenue by the BC Liquor Distribution Branch best meets the assessment criteria.

1550 Johnston Road – Choom BC Retail Holdings Inc.

The private store proponent at 1550 Johnston Road is part of a publically traded company (Choom Holdings Inc.) with multiple legal non-medical cannabis stores across Canada, including six locations in Alberta and one location in Ontario that are already operating, and others in various stages of construction and approvals. The principals of the business include individuals with experience in the pharmaceutical industry, large-scale retail operations, and cannabis production under Health Canada's licensed producer framework. As a publically traded company, the business would be required to meet the regulations and reporting requirements of the Canadian Securities Commission.

The proposed location of the Choom store is a 75 square metre (800 square foot) space in an existing multi-tenant retail and office building, and the specific unit is currently occupied by the Health Express business. The building's main entrance is on Johnston Road and the only vehicular access for the site is from George Street, where there are approximately 30 parking spaces for the overall building in a surface lot, including eight One Hour Customer Parking spaces. While the Zoning Bylaw would only require two parking spaces for the amount of floor area, the proponent has secured two spaces for their exclusive use and is also on a wait list for an additional 10 customer parking spaces in the White Rock Players Club parking located immediately south of the property. Given that there are currently no legal non-medical cannabis retail stores in adjacent municipalities south of the Fraser River, it is likely that many customers will be driving to access the store and the on-street parking may become scarce in the area during times of peak customer demand. The three hour free public parking at the corner of Johnston

Road and Russell Avenue is currently available, but pending a decision on the long-term use of that property it may not be available in the future.

The assessment criteria state that if an application is with 200 metres of a child care centre that the applicant discuss any mitigation measures that are required. The estimated distance from the property to the St. John's Child Care Centre at 1480 George Street is approximately 160 metres, and the actual walking distance would be approximately 250 metres. The façade of the cannabis store would be on Johnston Road, potentially being visible to children on their way to being dropped off at the child care centre, but not visible near the entrance to the child care centre or from the outdoor play area.

Choom has indicated they are familiar with and supportive of good neighbour agreements, and are willing to enter into an agreement with the City.

Choom's proposed hours of operation are 9am to 9pm, and they are open to adjusting these hours following consultation with a local government.

Staff consider that the proposal at 1550 Johnston Road by Choom BC Retail Holdings generally meets the expectations of the assessment criteria, and the experience of the principals in related regulated industries is an indication that they would have the capacity to operate the store in a responsible manner, however the location offers fewer parking spaces than will be available for the commercial parking at Miramar Village. Should LUPC decide to proceed with a Temporary Use Permit applicant (as opposed to the BC LDB rezoning application), staff recommend that Council move this application forward to a Public Meeting/Public Hearing.

1484 Johnston Road – A Little Bud Cannabis Ltd.

The private store proponent at 1484 Johnston Road is an owner-operated business, which previously sold cannabis at a location in Abbotsford under the name 'A Little Bud Cannabis' between July 2017 and October 2018, and since the legalization of cannabis in October 2018 has only sold cannabis accessories as 'A Little Bud Glass and Gifts'. While the principals of the business have worked in an industry regulated by the Motor-Vehicle Sales Authority of British Columbia, they do not have experience in the legal cannabis sector or other similar (i.e. liquor store) provincially regulated sectors.

The proposed location of the A Little Bud Cannabis store is an approximately 150 square metre (~1,600 square foot) space in a building located at 1478 Johnston Road, which was most recently occupied by the King Koin Laundromat and is currently vacant. The main entrance to the building is on Johnston Road, and there is a one-way vehicular access from Johnston Road to a rear parking lot. As the rear parking lot is adjacent to other surface parking areas for other businesses, the parking can also be accessed via George Street. There are 10 parking spaces on the property for customer use, and the applicants have indicated that they would also have access to five commercial parking spaces on nearby lots for staff parking.

The current vehicular access from Johnston Road is approximately 4.3 metres in width, which is not sufficient for two-way traffic movements, and there are limited sightlines for vehicles exiting onto Johnston Road to pedestrians on the sidewalk. While it may be that most vehicles would exit onto George Street through the adjacent parking lots, future access through those properties is not guaranteed and the Johnston Road access would need to provide both entry and exit access. The applicant has submitted an Access and Traffic Study regarding these concerns, which provides recommended mitigation for the sight line issues (install speed hump on driveway, stop and pedestrian crossing signs, and installing delineators/fences beside the

driveway on the sidewalk). This Access and Traffic Study is attached with the application materials in Appendix D. Staff consider that while the mitigation measures may alleviate the issues, that this access configuration is still not ideal and the locations for the other applications are preferable regarding access.

As this proposal is within 100 metres of an existing child care centre (St. John's Day Care Centre at 1480 George Street), the application would require a Development Variance Permit to reduce the distance to 80 metres. The façade and entry to the cannabis store would be on Johnston Road potentially being visible to children on their way to being dropped off at the child care centre though it is not on a direct route to the facility, and some signage as well as loading activities may be visible at the rear of the building facing George Street. The applicant has provided a list of potential issues and solutions, including opening the store after drop off hours (i.e. at 10am), in order to mitigate concerns regarding the proximity to a child care centre. This assessment is provided with the overall application materials in Appendix D. Staff have also received concerns from the church where the child care facility is located (St. John's Presbyterian Church), and a church that operates from a commercial space on Russell Avenue (First Church of Christ Scientist at 15242 Russell Avenue). This correspondence is attached in Appendix G.

A Little Bud Cannabis has indicated that their store hours are intended to be between 10am and 11pm from Monday to Saturday and 11am-8pm on Sunday.

This proponent has also indicated they are supportive of good neighbour agreements and are willing to enter into an agreement with the City.

Staff consider that this application does not meet the expectations of the assessment criteria, specifically that it is within 80 metres of a child care centre, that the proponents do not have extensive experience in a relevant regulated industry, and the access to the location is not optimal. As with the previous private application at 1550 Johnston Road, it is likely that many customers will be driving to access the store and the on-street parking may become scarce in the area during times of peak customer demand. The three hour free public parking at the corner of Johnston Road and Russell Avenue is currently available, but pending a decision on the long-term use of that property it may not be available in the future.

Should LUPC decide to proceed with a Temporary Use Permit applicant (as opposed to the BC LDB rezoning application), due to the reasons noted above and the comments in opposition received from the property hosting the child care centre, staff recommend that Council move the Choom application at 1550 Johnston Road forward to a Public Meeting/Public Hearing, and not this application.

Public Feedback

The applicant for 1484 Johnston Road held a Public Information Meeting on September 11, 2019. 751 notification letters were delivered to property owners and occupants within 100 metres of the subject property. 45 meeting attendees signed the attendance sheet, and 38 feedback forms were received. A copy of the written feedback received from the public is included in Appendix D. Additional correspondence opposed to the proposal, including a letter from the church at 1480 George Street where the St. John's Daycare Centre is operating, was received separately from the feedback forms and is included at the end of Appendix D.

The applicant for 15177 Thrift Avenue held a Public Information Meeting on September 18, 2019. 605 notification letters were delivered to property owners and occupants within 100 metres

of the subject property. 24 meeting attendees signed the attendance sheet, and 20 feedback forms were received. A copy of the written feedback received from the public is included in Appendix E.

The applicant for 1550 Johnston Road held a Public Information Meeting on October 1, 2019. 597 notification letters were delivered to property owners and occupants within 100 metres of the subject property. 13 meeting attendees signed the attendance sheet, and 16 feedback forms were received. A copy of the written feedback received from the public is included in Appendix F.

Staff note there are general concerns regarding the legalization of cannabis and the public consumption of cannabis that are included in the feedback forms that would be relevant to any of the applications. Some of the feedback also raises concerns about consumption of cannabis, which is not permitted within cannabis retail stores.

Cannabis Accessories

If Council considers approving a cannabis retail store, it may be expected that related businesses selling cannabis accessories may be interested in locating their stores nearby to intercept potential customers. In order to prevent an overconcentration of similar businesses in the same vicinity, and to support a more diverse business climate, staff recommend that the Zoning Bylaw be amended concurrently to require that sale of cannabis accessories (as defined under the federal *Cannabis Act*) be no closer than 500 metres from a cannabis retail store. This amendment is included in the draft Bylaw No. 2320 which is recommended for first and second reading, and would permit a cannabis retail store in the CD-16 zone applicable to 15177 Thrift Avenue (the location of the BC Liquor Distribution Branch's proposal).

OPTIONS

The Land Use and Planning Committee can recommend that Council:

1. Give first and second readings to Bylaw No. 2320 for the BC Liquor Distribution Branch application at 15177 Thrift Avenue and direct staff to schedule the required Public Hearing for the bylaw; or
2. Direct staff to prepare a draft Temporary Use Permit for the A Little Bud application at 1484 Johnston Road, draft a Development Variance Permit to reduce the setback from a child care centre from 100 metres to 80 metres, and to return to the Land Use and Planning Committee with the draft permits for review prior to scheduling a Public Hearing/Meeting for that application; or
3. Direct staff to prepare a draft Temporary Use Permit for the Choom application at 1550 Johnston Road, and to return to the Land Use and Planning Committee with the draft permit for review prior to scheduling a Public Hearing/Meeting for that application; or
4. Direct staff to bring forward two or more of the applications forward, with the appropriate bylaw readings or direction to prepare the draft Temporary Use Permit as applicable; or
5. Reject all three applications for a cannabis retail store; or
6. Defer consideration of the applications pending further information or revisions to be identified.

Staff recommends Option 1 which is incorporated into the recommendations at the beginning of this corporate report.

CONCLUSION

Staff have evaluated three applications for a cannabis retail store, according to the assessment criteria shared with the Governance and Legislation Committee on February 25, 2019. The framework currently in the Zoning Bylaw for a cannabis retail store anticipates that a single location would be allowed in the Town Centre area through a Temporary Use Permit, however Council is not obligated to approve any of the proposals, or alternately could direct staff to amend the Zoning Bylaw to allow more than one location.

Upon review of the locations and proponents according to the assessment criteria, staff recommend that the BC Liquor Distribution Branch rezoning application at 15177 Thrift Avenue (Miramar Village; currently under construction) be moved forward to Public Hearing. While there would be some complexity involved in the required security systems at the Miramar Village site due to the multiple tenants, given that the site is currently under construction it is anticipated that these would be addressed prior to building occupancy. If Council prefers to proceed with a Temporary Use Permit application instead of a rezoning application, staff consider that the application at 1550 Johnston Road achieves a higher level of conformity to the assessment criteria than the application at 1484 Johnston Road.

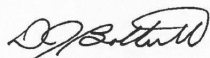
Respectfully submitted,



Carl Isaak, MCIP, RPP
Director of Planning and Development Services

Comments from the Chief Administrative Officer:

I concur with the recommendations of this corporate report.



Dan Bottrill
Chief Administrative Officer

- Appendix A: Evaluation of Proposal at 1484 Johnston Road (A Little Bud Cannabis Ltd.)
- Appendix B: Evaluation of Proposal at 15177 Thrift Avenue (BC Liquor Distribution Branch)
- Appendix C: Evaluation of Proposal at 1550 Johnston Road (Choom BC Retail Holdings Inc.)
- Appendix D: Application Package for 1484 Johnston Road (A Little Bud Cannabis Ltd.)
- Appendix E: Application Package for 15177 Thrift Avenue (BC Liquor Distribution Branch)
- Appendix F: Application Package for 1550 Johnston Road (Choom BC Retail Holdings Inc.)
- Appendix G: Public Feedback for 1484 Johnston Road (A Little Bud Cannabis Ltd.)
- Appendix H: Public Feedback for 15177 Thrift Avenue (BC Liquor Distribution Branch)
- Appendix I: Public Feedback for 1550 Johnston Road (Choom BC Retail Holdings Inc.)
- Appendix J: Draft Bylaw No. 2320 (Amendment to CD-16) Cannabis Retail Store

Cannabis Retail Store Applications

1484 Johnston Rd / 15177 Thrift Ave / 1550 Johnston Rd

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January 20, 2020

Three Applications

1. 1484 Johnston Road (formerly King Koin Laundromat)
 - **Temporary Use Permit 19-012, Development Variance Permit No. 426**
 - Applicant: A Little Bud Cannabis
2. 15177 Thrift Avenue (Miramar Phase 2, under construction)
 - **Zoning Amendment Bylaw No. 2320**
 - Applicant: BC Liquor Distribution Branch
3. 1550 Johnston Road (currently Health Express store)
 - **Temporary Use Permit 19-014**
 - Applicant: Choom BC Retail Holdings

Cannabis Store Separations

Bylaw 2323 would remove the replace the minimum separation distance between cannabis stores with a cap on the number of cannabis stores allowed in the City (in the Town Centre). Only required if more than one store is to be approved.

Locations



Draft Temporary Use Permits

- Valid for three years (possible to renew prior to expiry)
- Reflect specifics of each application (e.g. operating hours, floor area, off-street parking spaces)
- Temporary Use Permits automatically revoked if the Provincial cannabis retail store licence is cancelled, or if the property is deemed a nuisance property under the Unsightly Premises and Graffiti Abatement Bylaw
- **Council** decision on application (bylaw readings / issuance of T.U.P)

Next Steps

- **Council** decision to move forward application(s) to public hearing/meetings
- **Public Hearing/Meeting** for application(s)
- **Council** decision on application (bylaw readings / issuance of Temporary Use Permits, Development Variance Permit)
- **Council** resolution on each of the private applications sent to the LCRB (approve or deny, etc.)
- If approved, business licence and building permit applications for store locations

Clear 'fit and proper' security and financial integrity screenings of the private store operators would be required before a business licence would be issued. These screenings are in process by the Liquor and Cannabis Regulation Branch.



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Evaluation Criteria

1. Meets TUP Location Requirements in Zoning Bylaw
2. Description of applicant's business undertaking and experience
3. Description of any enforcement action(s)
4. Business plan and 'good neighbour' approach
5. Provision of educational initiatives regarding impairment and nuisance issues related to cannabis use
6. Detailed store location, access and design proposal
7. Detailed assessment on impacts to child care facility if within 200 metres
8. Willingness to enter into a good neighbour agreement

Evaluations

1484 Johnston Road
(A Little Bud Cannabis)

15177 Thrift Avenue
(BC Liquor Distribution Branch)

1550 Johnston Road
(Choom BC Retail)

Category	Qualitative Assessment		
	Meets Expectations	Does Not Meet Expectations	Unsatisfactory
1	Meets TUP Location Requirements in Zoning Bylaw Rating:	All location requirements met One location requirement not met (DVP required)	Multiple location requirements not met (DVP required)
2	Description of applicant's business undertaking and experience Rating:	5+ years experience 1-5 years experience	No experience
3	Description of any enforcement action(s) Rating:	No concerns Minor concerns	Significant concerns
4	Business plan and 'good neighbour' approach Rating:	Comprehensive plan Plan lacks detail or not reasonable	No plan
5	Provision of educational initiatives regarding impairment and nuisance issues related to cannabis use Rating:	Comprehensive educational initiatives Few educational initiatives (e.g. written material only)	No planned educational initiatives
6	Detailed store location, access and design proposal Rating:	Functional design and access Not functional design / access	Potentially dangerous conditions for loading/customers
7	Detailed assessment on impacts to child care facility if within 200 metres Rating:	N/A, or comprehensive assessment and mitigation plans Assessment or mitigation plans lack detail or not reasonable	No assessment or plan
8	Willingness to enter into a good neighbour agreement Rating:	Demonstrated ability to be good neighbour and willing to enter agreement Willing to enter agreement	Unwilling to enter agreement

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Recommendation

15177 Thrift Avenue (BC Liquor Distribution Branch)

Category		Qualitative Assessment		
		Meets Expectations	Does Not Meet Expectations	Unsatisfactory
1	Meets TUP Location Requirements in Zoning Bylaw	<i>All location requirements met</i>	<i>One location requirement not met (DVP required)</i>	<i>Multiple location requirements not met (DVP required)</i>
	Rating:			
2	Description of applicant's business undertaking and experience	<i>5+ years experience</i>	<i>1-5 years experience</i>	<i>No experience</i>
	Rating:			
3	Description of any enforcement action(s)	<i>No concerns</i>	<i>Minor concerns</i>	<i>Significant concerns</i>
	Rating:			
4	Business plan and 'good neighbour' approach	<i>Comprehensive plan</i>	<i>Plan lacks detail or not reasonable</i>	<i>No plan</i>
	Rating:			
5	Provision of educational initiatives regarding impairment and nuisance issues related to cannabis use	<i>Comprehensive educational initiatives</i>	<i>Few educational initiatives (e.g. written material only)</i>	<i>No planned educational initiatives</i>
	Rating:			
6	Detailed store location, access and design proposal	<i>Functional design and access</i>	<i>Not functional design / access</i>	<i>Potentially dangerous conditions for loading/customers</i>
	Rating:			
7	Detailed assessment on impacts to child care facility if within 200 metres	<i>N/A, or comprehensive assessment and mitigation plans</i>	<i>Assessment or mitigation plans lack detail or not reasonable</i>	<i>No assessment or plan</i>
	Rating:			
8	Willingness to enter into a good neighbour agreement	<i>Demonstrated ability to be good neighbour and willing to enter agreement</i>	<i>Willing to enter agreement</i>	<i>Unwilling to enter agreement</i>
	Rating:			

- **Location and access**, with many (180+) customer parking spaces
- **Operator** extensive experience, commitment to public education, and track record of social responsibility initiatives
- **Store façade** not visible from Johnston Road (facing interior walkway)

BC LDB Façade Image (Kamloops)



A Little Bud Façade Image (Rendering)



Choom Façade Image (Rendering)

