
MINUTE EXTRACTS REGARDING BYLAW 2375: White Rock Zoning Bylaw, 2012, No. 2000, Amendment (15053 Marine Drive – Cannabis Store) Bylaw, 2021, No. 2375 CIVIC ADDRESS: 15053 Marine Drive

Land Use and Planning Committee
February 8, 2021 (DRAFT)

4.3 APPLICATION FOR CANNABIS LICENSE REFERRAL, ZONING BYLAW AMENDMENT, AND TEMPORARY USE PERMIT, 15053 MARINE DRIVE (LL/ZON/TUP-20-018)

Corporate report dated February 8, 2021 from the Director of Planning and Development Services titled "Application for Cannabis License Referral, Zoning Bylaw Amendment, and Temporary Use Permit, 15053 Marine Drive (LL/ZON/TUP-20-018)".

The Manager of Planning gave a PowerPoint presentation regarding the application including the proposal and process (consultation and feedback).

The following discussion points were noted:

- Customer access will be from the front of the store (Marine Drive) only
- Concern with people on the narrow sidewalk and possible spill over onto Marine Drive. Staff noted the current patio structure outside the store will be removed
- Would like to see hours mirror the Indigenous Bloom store (to the East) operation hours
- Concern with a cannabis store in front of the pier
- Concern noting the Indigenous Bloom store and the amount of traffic it has brought. Staff noted the Business Improvement Association were consulted and parking was not flagged as a concern
- Would like there to be assurance where people can't pull over, stop in the parking lot etc. / block traffic. Applicant noted they would be regulated - processes are quick in order to facilitate to be able to get in and out quickly, also security can be posted for the time the store is open should it be request. Hours of closure 10 p.m. shut down could be considered. It is likely that more competition will help alleviate focused parking concerns

- It has been found with the other services like this there has been much garbage left outside (has been an issue)Applicant noted they have a recycling program and staff do go out and keep the store area clean (don't want the store to look bad) they are building a brand / want to make sure it's clean
- Applicant confirmed the employees will be paid a Living Wage

Motion Number: LU/P-019It was MOVED and SECONDED

THAT the Land Use and Planning Committee recommend that Council give first and second readings to “*White Rock Zoning Bylaw, 2012, No. 2000, Amendment (15053 Marine Drive – Cannabis store) Bylaw, 2021, No. 2375*”.

Motion CARRIED

Motion Number: LU/P-020 It was MOVED and SECONDED

THAT the Land Use and Planning Committee recommend that Council direct planning staff to obtain public input through a combined public hearing (license referral & rezoning applications) and public meeting (temporary use permit) conducted as an electronic meeting with notice of the meeting given in accordance with Section 466 of the *Local Government Act*, including notice in newspapers and distribution by mail to property owners / occupants within 100 metres of the subject property.

Motion CARRIED

Motion Number: LU/P-021 It was MOVED and SECONDED

THAT the Land Use and Planning Committee recommend that Council direct planning staff to resolve the following issues prior to final adoption:

- a. Ensure that all engineering requirements and issues are resolved to the satisfaction of the Director of Engineering and Municipal Operations including, but not limited to, the receipt of approval for the encroachment of buildings and structures within the City’s road right-of-way and confirmation of an agreement for the off-street loading of vehicles on a property generally being within 60 metres of the subject property (it may be required that the agreement be registered on title by way of a covenant); and

- b. That the applicant provide confirmation from the RCMP, that the agency has undertaken a review of the design / programming of the rear portion of the property, taking into account the principles of Crime Prevention Through Environmental Design.

Motion CARRIED

Motion Number: LU/P-022It was MOVED and SECONDED

THAT the Land Use and Planning Committee recommend that Council authorize staff, pending the results of the electronic public hearing and public meeting, to forward a copy of this corporate report and the results of the public hearing to the Liquor and Cannabis Regulation Branch (LCRB) along with a resolution to advise that Council has considered the location of the proposed cannabis retail store and the potential for impacts to residents, and is in support of the cannabis license application at 15053 Marine Drive, subject to the inclusion of the following conditions within the license:

- a. The hours of retail (cannabis) sale shall be limited to the following:

Sun Mon Tues Wed Thurs Fri Sat

Open 09:00 09:00 09:00 09:00 09:00 09:00 09:00

Closed 22:00 22:00 22:00 22:00 22:00 22:00 22:00

- b. Customer (non-employee) access to the retail store shall be limited to the Marine Drive (south) side of the building.
- c. The retail sale of cannabis and any related products shall be limited to a retail floor area of no greater than 62 square metres (667 square feet), being the space accessible via the Marine Drive (south) side of the property.

Amendment: Motion Number: LU/P-023It was MOVED and SECONDED

THAT The Land Use and Planning Committee amends the hours of operation for 15053 Marine Drive where closing will be **amended to close services at 22:00 p.m. from the proposed 23:00 p.m.**

Motion CARRIED

Question was called on the Main Motion as Amended and it was CARRIED

Motion Number: LU/P-024 It was MOVED and SECONDED

THAT the Land Use and Planning Committee recommend to Council pending the results of the electronic public meeting and final adoption of Zoning Amendment Bylaw No. 2375, approve of the issuance of Temporary Use Permit 20-018. The TUP shall include conditions as follows:

- a. Customer access to the retail store shall be limited to the Marine Drive (south) side of the building.
- b. The Permittee shall lease from the City a minimum of two (2) parking spaces from the Montecito Parkade for the duration of the temporary use permit;
- c. The Permittee shall purchase one City of White Rock “Merchant” parking decal for the Waterfront Commercial area; and
- d. The owner shall remove all structures which encroach into the City’s boulevard along Marine Drive save and except for those that are tied, structurally, to the principal building. An encroachment agreement shall be executed for any portion of the building that is to remain within the City boulevard.

Motion CARRIED

**Regular Council Meeting
February 8, 2021 (DRAFT)**

8.1.h BYLAW 2375 - WHITE ROCK ZONING BYLAW, 2012, NO. 2000, AMENDMENT (15053 MARINE DRIVE - CANNABIS STORE) BYLAW, 2021, NO. 2375

Bylaw 2375 - A bylaw to permit temporary use permit and a cannabis license referral (resolution) which, if approved, would enable the creation of a cannabis retail store at 15053 Marine Drive (the former “Giraffe” restaurant). This application was presented earlier at the February 8, 2021 Land Use and Planning Committee meeting. The bylaw was now presented for consideration for first and second reading.

Motion Number: 2021-066

THAT Council give first and second readings to “*White Rock Zoning Bylaw, 2012, No. 2000, Amendment (15053 Marine Drive – Cannabis store) Bylaw, 2021, No. 2375*”.

Motion CARRIED

Councilor Kristjanson voted in the negative

Motion Number: 2021-067

THAT Council:

1. Direct planning staff to obtain public input through a combined public hearing (license referral & rezoning applications) and public meeting (temporary use permit) conducted as an electronic meeting with notice of the meeting given in accordance with Section 466 of the *Local Government Act*, including notice in newspapers and distribution by mail to property owners / occupants within 100 metres of the subject property;
2. Direct planning staff to resolve the following issues prior to final adoption:
 - a. Ensure that all engineering requirements and issues are resolved to the satisfaction of the Director of Engineering and Municipal Operations including, but not limited to, the receipt of approval for the encroachment of buildings and structures within the City’s road right-of-way and confirmation of an agreement for the off-street loading of vehicles on a property generally being within 60 metres of the subject property (it may be required that the agreement be registered on title by way of a covenant); and
 - b. That the applicant provide confirmation from the RCMP, that the agency has undertaken a review of the design / programming of the rear portion of the property, taking into account the principles of Crime Prevention Through Environmental Design.
3. Authorize staff, pending the results of the electronic public hearing and public meeting, to forward a copy of this corporate report and the results of the public hearing to the Liquor and

Cannabis Regulation Branch (LCRB) along with a resolution to advise that Council has considered the location of the proposed cannabis retail store and the potential for impacts to residents, and is in support of the cannabis license application at 15053 Marine Drive, subject to the inclusion of the following conditions within the license:

- a. The hours of retail (cannabis) sale shall be limited to the following:

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Open 09:00	09:00	09:00	09:00	09:00	09:00	09:00
Closed 22:00	22:00	22:00	22:00	22:00	22:00	22:00

- b. Customer (non-employee) access to the retail store shall be limited to the Marine Drive (south) side of the building.
 - c. The retail sale of cannabis and any related products shall be limited to a retail floor area of no greater than 62 square metres (667 square feet), being the space accessible via the Marine Drive (south) side of the property.
4. Pending the results of the electronic public meeting and final adoption of Zoning Amendment Bylaw No. 2375, approve of the issuance of Temporary Use Permit 20-018. The TUP shall include conditions as follows:
- a. Customer access to the retail store shall be limited to the Marine Drive (south) side of the building.
 - b. The Permittee shall lease from the City a minimum of two (2) parking spaces from the Montecito Parkade for the duration of the temporary use permit;
 - c. The Permittee shall purchase one City of White Rock “Merchant” parking decal for the Waterfront Commercial area; and
 - d. The owner shall remove all structures which encroach into the City’s boulevard along Marine Drive save and except for those that are tied, structurally, to the principal building. An encroachment agreement shall be executed for any portion of the building that is to remain within the City boulevard.

Motion CARRIED