

Committee of Council Regular Agenda

Council Chambers, 3rd Floor City Hall, 2580 Shaughnessy Street, Port Coquitlam, BC

Tuesday, June 25, 2019

Time: 3:00 p.m.

Meeting Note: A closed meeting of Committee of Council will be held at 3:00 p.m. before the reports in Section 5.

1. CALL TO ORDER

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Recommendation:

That the June 25, 2019, Regular Committee of Council Meeting Agenda be adopted with the following changes:

- *Addition of item 5.9 Municipal Security Issuing Resolution Update*

3. CONFIRMATION OF MINUTES

3.1 Minutes of Committee of Council

Recommendation:

That the minutes of the following Committee of Council Meetings be adopted:

- *June 11, 2019, Regular Committee of Council Meeting.*

4. RESOLUTION TO CLOSE

4.1 Resolution to Close the June 25, 2019, Regular Committee of Council Meeting to the Public

Recommendation:

That the Regular Committee of Council Meeting of June 25, 2019, be closed to the public pursuant to the following subsection(s) of Section 90(1) of the Community Charter:

Item 5.1

- (1) g) litigation or potential litigation affecting the municipality;
 - i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- (2) b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

5. REPORTS

5.1 Licensed Establishment Application for 200-2748 Lougheed Highway – Time Specific: 4:00 pm

Recommendation:

That Committee of Council advise the Liquor and Cannabis Regulation Branch of the following:

- a. *That the City of Port Coquitlam supports an extension to service of liquor from 7 a.m. seven days a week on De Dutch Pannekoek House's food primary licence.*
- b. *The City of Port Coquitlam's comments on the prescribed considerations are as described in the staff report titled, Licensed Establishment Application LE000022 – 200-2748 Lougheed Highway.*
- c. *The views of residents were solicited through a Committee of Council meeting. No concerns from residents were brought to the City's attention.*

5.2 Licensed Establishment Application for 533 Dominion Avenue

– Time Specific: to follow Item 5.1

Recommendation:

That the Committee of Council advise the Liquor and Cannabis Regulation Branch of the following:

- a. That the City of Port Coquitlam supports an extension to the hours of liquor service to 9 a.m. for seven days a week on Carnoustie Golf Club's liquor primary licence.*
- b. The City of Port Coquitlam's comments on the prescribed considerations are as described in the staff report titled, Licensed Establishment Application LE000021 – 533 Dominion Avenue.*
- c. The views of residents were solicited through a Committee of Council meeting and no concerns from residents were brought to the City's attention.*

5.3 Temporary Use Permit for 1969 McLean Avenue

Recommendation:

That Committee of Council authorize staff to provide notice of a temporary use application at 1969 McLean Avenue.

5.4 Rezoning Application for 985 Nicola Avenue

Recommendation:

That Committee of Council recommend to Council that:

- 1. The Zoning Bylaw be amended to allow for a cannabis retail sales use at 985 Nicola Avenue; and,*
- 2. Prior to adoption of the amending bylaw, the following community benefits be secured to the satisfaction of the Director of Development Services:*
 - a. Dedication of road allowance along the property's Nicola Avenue frontage; and*
 - b. Posting of signs within the interior and exterior buildings informing the public of the Smoking Bylaw.*

5.5 Rezoning Application for 1502 Broadway Street

Recommendation:

That Committee of Council recommend to Council that:

- 1. The Zoning Bylaw be amended to allow for cannabis retail sales at 1502 Broadway Street; and,*
- 2. Prior to adoption of the amending bylaw, the following charitable benefits be secured to the satisfaction of the Director of Development Services:*
 - a. Commitment to providing an annual \$2500 scholarship for a secondary student and a \$5000 donation to community organization(s) in Port Coquitlam,*
 - b. Commitment to paying full-time employees a living wage,*
 - c. Restoration of the riparian area planting, and*
 - d. Posting of signs within the interior and exterior buildings informing public of the Smoking Bylaw.*

And that, upon adoption of the amending bylaw, Committee of Council direct staff to advise the Liquor and Cannabis Licensing Branch of the following:

- a. That the City of Port Coquitlam recommends issuance of an application for a non-medical retail cannabis licence at 1502 Broadway Street,*
- b. The City of Port Coquitlam's comments on the prescribed considerations are as described in the staff report titled, Rezoning Application RZ000170 – 1502 Broadway Street, and*
- c. The views of residents were solicited through posting a sign onsite and conducting a rezoning Public Hearing at a Council meeting.*

5.6 Rezoning Application for 1971 Lougheed Highway

Recommendation:

That Committee of Council recommend to Council that:

- 1. The Zoning Bylaw be amended to allow for a cannabis retail sales use at 1971 Lougheed Highway; and,*
- 2. Prior to adoption of the amending bylaw, the applicant commit, to the satisfaction of the Director of Development Services, to posting signs within the interior and exterior buildings informing public of the Smoking Bylaw.*

5.7 Rezoning Application for 2755 Lougheed Highway

Recommendation:

That Committee of Council recommend to Council that:

- 1. The Zoning Bylaw be amended to allow for a cannabis retail sales use at 2755 Lougheed Highway; and,*
- 2. Prior to adoption of the amending bylaw, the following community benefits be secured to the satisfaction of the Director of Development Services:*
 - a. Commitment to providing an annual \$2500 scholarship for a secondary student and a \$5000 donation to charitable organization(s) in Port Coquitlam,*
 - b. Commitment to paying full-time employees a living wage, and*
 - c. Posting of signs within the interior and exterior buildings informing the public of the Smoking Bylaw.*

And that, upon adoption of the amending bylaw, Committee of Council authorize staff to advise the Liquor and Cannabis Licensing Branch of the following:

- a. That the City of Port Coquitlam recommends issuance of an application for a non-medical retail cannabis licence at 2755 Lougheed Highway;*
- b. The City of Port Coquitlam's comments on the prescribed considerations are as described in the staff report titled, Rezoning Application RZ000181 – 2755 Lougheed Highway; and*
- c. The views of residents were solicited through posting a sign onsite and a Public Hearing at a Council meeting.*

5.8 Rezoning Application for a Cannabis Production Facility at 1840 Broadway Street

Recommendation:

That Committee of Council recommend to Council the following:

- 1) That 1st and 2nd Readings be given to a rezoning bylaw to permit a cannabis production facility use in Building B at 1840 Broadway Street, and*
- 2) That the following conditions be met prior to the adoption of the rezoning to the satisfaction of the Director of Development Services:*
 - a) Completion of a detailed building design from a qualified energy professional and mechanical engineer providing for:*
 - i) elimination of potential odours emanating from the building, and*
 - ii) reduced energy consumption;*
 - b) Registration of a legal agreement to ensure installation of equipment specified to eliminate odour and maintenance of the equipment;*
 - c) Submission of a final landscape plan and securities and fees for on-site landscaping, and;*
 - d) Completion of detailed design and submission of securities and fees for the following offsite works and services:*
 - i) reconstruction of Langan Avenue to ½ road plus one metre complete with curb and gutter, road drainage, sidewalk, street trees, and street lighting,*
 - ii) reconstruction of the lane,*
 - iii) dedication of 2m x 3m corner cut-offs at Broadway/Langan and Broadway/lane intersections,*

- iv) *installation of signage to indicate left turns are not permitted onto Broadway Street, and*
- v) *construction of a concrete barrier in the road centre median to prevent left turns out of the Broadway Street driveway exit.*

5.9 Municipal Security Issuing Resolution Update – Verbal

Recommendation:

None.

6. COUNCILLORS' UPDATE

7. MAYOR'S UPDATE

8. CAO UPDATE

9. ADJOURNMENT

9.1 Adjournment of the Meeting

Recommendation:

That the June 25, 2019, Regular Committee of Council Meeting be adjourned.

Present:

Chair – Mayor West
Councillor Darling
Councillor Dupont
Councillor McCurrach
Councillor Penner
Councillor Pollock
Councillor Washington

Absent:

Meeting Notes:

- Councillor Washington joined the meeting at 2:03 p.m.

1. CALL TO ORDER

The meeting was called to order at 2:00 p.m.

2. ADOPTION OF THE AGENDA

2.1 Adoption of the Agenda

Moved - Seconded:

That the June 11, 2019, Regular Committee of Council Meeting Agenda be adopted as circulated.

Carried

3. CONFIRMATION OF MINUTES

3.1 Minutes of Committee of Council

Moved - Seconded:

That the minutes of the following Committee of Council Meetings be adopted:

- May 21, 2019, Regular Committee of Council Meeting;
- May 28, 2019, Regular Committee of Council Meeting;
- June 4, 2019, Regular Committee of Council Meeting.

Carried

4. REPORTS

4.1 Summer Event Recreation Update

Staff presented the Recreation summer events to Committee of Council.

4.2 Prairie Avenue Improvements – Public Consultation - Shaughnessy to Fremont

Moved - Seconded:

That Committee of Council approve the Prairie Avenue road design options as presented in the June 4, 2019, staff report, "Prairie Avenue Improvements – Public Consultation – Shaughnessy to Fremont" for public consultation to inform a detailed design.

Carried

4.3 St. Thomas Street Road Rehabilitation Petition

Moved - Seconded:

That Committee of Council approve an additional \$61,000 for construction of barrier curb and gutter, with funding to come from existing projects.

Carried

Opposed: Councillor McCurrach

4.4 2018 Traffic Count Results

Staff provided the 2018 traffic count results to Committee of Council.

4.5 Port Coquitlam Seniors' Grant

Moved - Seconded:

That Committee of Council approve the funding request of Port Coquitlam Senior Citizens' Housing Society for \$41,000 from the Special Needs Housing Reserve fund to support redevelopment of their Dogwood Mews site at 3155 Seymour Street: and

That Committee of Council recommend to Council that the 2019 Financial Plan be amended accordingly; and

That prior to the disbursement of funds, the Society amend the registered Housing Agreement and covenant pursuant to Section 219 of the Land Title Act to confirm:

- a. The project is in receipt of the Special Needs Housing Reserve funds from the City; and*
- b. All funds received shall be repaid to the City with applicable accrued interest if the project fails to advance to completion within a five-year period.*

Carried

4.6 Cannabis Production in the Agriculture Zone

Moved - Seconded:

That Committee of Council recommend to Council that the Zoning Bylaw be amended to restrict a cannabis production use to being located outdoors in an agricultural field or inside a farm building that has a soil base and maximum production area of 200m².

Carried

5. COUNCILLORS' UPDATE

Council provided updates on City business.

6. MAYOR'S UPDATE

Mayor West provided an update on City business.

7. CAO UPDATE

CAO provided an update on City business.

8. RESOLUTION TO CLOSE

8.1 Resolution to Close the June 11, 2019, Regular Committee of Council Meeting to the Public

Moved - Seconded:

That the Regular Committee of Council Meeting of June 11, 2019, be closed to the public pursuant to the following subsection(s) of Section 90(1) of the Community Charter:

Item 4.1

g) litigation or potential litigation affecting the municipality;

Item 4.2

- l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98[annual municipal report].*

Carried

Certified Correct,

Mayor

Corporate Officer

RECOMMENDATION:

That Committee of Council advise the Liquor and Cannabis Regulation Branch of the following:

- a. That the City of Port Coquitlam supports an extension to service of liquor from 7 a.m. seven days a week on De Dutch Pannekoek House's food primary licence.
- b. The City of Port Coquitlam's comments on the prescribed considerations are as described in the staff report titled, Licensed Establishment Application LE000022 – 200- 2748 Lougheed Highway.
- c. The views of residents were solicited through a Committee of Council meeting. No concerns from residents were brought to the City's attention.

PREVIOUS COUNCIL/COMMITTEE ACTION

None

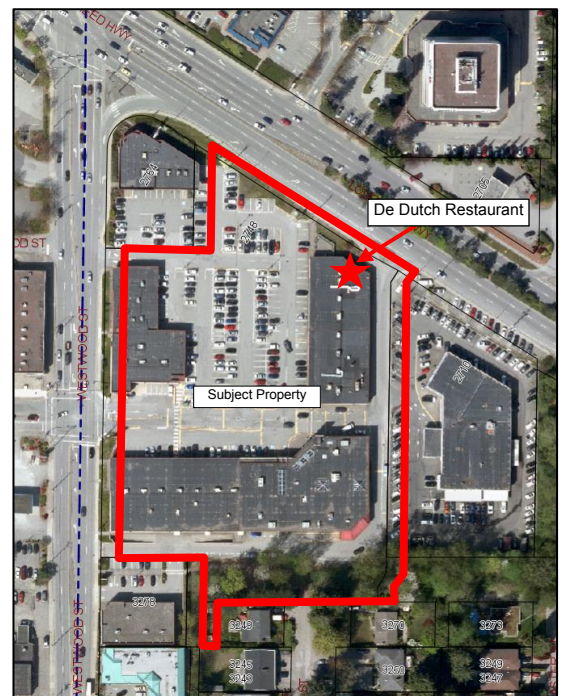
REPORT SUMMARY

The Liquor and Cannabis Regulation Branch (LCRB) has requested comment from the City on an application to amend the food primary licence for De Dutch Pannekoek House so that it can extend the hours it is permitted to serve liquor beverages from 9 a.m. to starting at 7 a.m. As it is not expected there would be significant neighbourhood impacts, this report recommends that the LCRB be advised that the City supports the application.

BACKGROUND

De Dutch Pannekoek House, located at the corner of Westwood Street and Lougheed Highway, has a food primary licence which permits service of liquor from 9 a.m. to 12 a.m., seven days a week. The applicant has submitted an application to amend the hours in the morning to extend the service of liquor from 7 a.m., seven days a week. The applicant advises that the extension is requested to better serve the community by allowing increased flexibility for patrons who enjoy early morning dining with the service of liquor and to compete with other food primary licensed establishments that serve liquor in the morning.

De Dutch Pannekoek House is located within the Westwood Centre commercial complex where there is extensive surface parking. It is not expected that there would be any significant impacts resulting from the extension of hours as the change is in the morning, which is not likely to affect any residential properties. The extension is also in line with permitted hours of operation of similar businesses open for



breakfast. The applicant advises that the business will adhere to the City's noise bylaw.

DISCUSSION


Pursuant to the *Liquor Control and Licensing Act* and associated Regulation, local governments are given the opportunity to comment on an application for a permanent change to a liquor licence such as a change in hours. The City's resolution must give specific consideration to the potential for noise and other impacts on the community within the context of the location, person capacity, and hours of operation. Council has delegated the authority to adopt a resolution to provide comment on the application to Committee of Council.

Based on the location, change in hours and surrounding context, no concerns have been identified and staff recommend to Committee that the LCRB be advised that the request is supported.

FINANCIAL IMPLICATIONS

None.

OPTIONS

#	Description
1 	Advise the LCRB that the extension of hours to De Dutch Pannekoek House's food primary licence from 7 a.m. is supported
2	Request additional information or call for public input prior to making a decision;
3	Decline to exercise its delegated authority in which case staff would forward the request for comment to Council; or
4	Decline to provide comment to the LCRB.

Lead author(s): Graeme Muir

RECOMMENDATION:

That the Committee of Council advise the Liquor and Cannabis Regulation Branch of the following:

- a. That the City of Port Coquitlam supports an extension to the hours of liquor service to 9 a.m. for seven days a week on Carnoustie Golf Club's liquor primary licence.
- b. The City of Port Coquitlam's comments on the prescribed considerations are as described in the staff report titled, Licensed Establishment Application LE000021 – 533 Dominion Avenue.
- c. The views of residents were solicited through a Committee of Council meeting and no concerns from residents were brought to the City's attention.

PREVIOUS COUNCIL/COMMITTEE ACTION

None

REPORT SUMMARY

The Liquor and Cannabis Regulation Branch (LCRB) has requested comment from the City on an application to amend the liquor primary licence for Carnoustie Golf Club so that it can extend the morning hours it is permitted to serve liquor beverages from 11 a.m. to 9 a.m. As it is not expected there would be significant impacts to adjacent properties, this report recommends that the LCRB be advised that the City supports the application.

BACKGROUND

Carnoustie Golf Club, located at the corner of Fremont Street and Dominion Avenue, has a liquor primary licence which permits the service of liquor from 11 a.m. to 1 a.m., Monday-Saturday, and 11 a.m. to 12 a.m. on Sunday. The applicant has submitted an application to amend the hours in the morning to extend the service from 9 a.m., seven days a week. The applicant advises that the extension would better serve its patrons who golf early in the morning as well as an ability to compete with other golf courses who allow for liquor service in the morning. For example, Pitt Meadows Golf Club is permitted to serve liquor at 9 a.m.

Carnoustie Golf Club is zoned Recreation Commercial, accommodating an extensive amount of outdoor space required for the golf course. It is not expected that there would be any significant impacts resulting from the extension of hours as the change is in the morning, which is



not likely to affect any residential properties. The extension is also in line with permitted hours of operation of similar businesses that serve liquor to patrons golfing in the morning. The applicant advises that the business will adhere to the City's noise bylaw

DISCUSSION

Pursuant to the *Liquor Control and Licensing Act* and associated Regulation, local governments are given the opportunity to comment on an application for a permanent change to a liquor licence such as a change in hours. The City's resolution must give specific consideration to the potential for noise and other impacts on the community within the context of the location, person capacity, and hours of operation. Council has delegated the authority to adopt a resolution to provide comment on the application to Committee of Council.


Based on the location, change in hours and surrounding context, no concerns have been identified and staff recommend to Committee that the LCRB be advised that the request is supported.

FINANCIAL IMPLICATIONS

None.

OPTIONS

(Check = Staff Recommendation)

#	Description
1 	Advise the LCRB that the extension of hours to Carnoustie Golf Club's liquor primary licence from 9 a.m. is supported
2	Request additional information or call for public input prior to making a decision or decline to exercise its delegated authority in which case staff would forward the request for comment to Council; or
3	Decline to provide comment to the LCRB.

Lead author(s): Graeme Muir

Temporary Use Permit TUP00014 – 1969 McLean Avenue

RECOMMENDATION:

That Committee of Council authorize staff to provide notice of a temporary use application at 1969 McLean Avenue

PREVIOUS COUNCIL/COMMITTEE ACTION

None

REPORT SUMMARY

Modu-Loc has applied to allow for temporary mobile office trailers to be placed on site to accommodate their office needs during renovation of the principle building on site. The office trailers would be on wheels and would not be connected to municipal services. This use is not permitted by the site's industrial zoning and issuance of a temporary use permit is proposed to allow for the proposed use.

BACKGROUND

Modu-Loc, a fence rental company, has leased an industrial property at 1969 McLean Avenue. The applicants intent to use the existing 557 sq m (6000 sq ft) warehouse building for indoor storage and accessory offices; the remainder of the site will be used for exterior storage of fencing supplies and parking for fleet vehicles and staff.



The applicant has advised the existing building on the property needs substantial renovations to accommodate the accessory office use. Modu-Loc's existing lease in New Westminster expires in August and they will not be able to complete the renovation work in time for their staff to move into the warehouse building. They have requested a Temporary Use Permit to allow one 25 sq m (260 sq. ft) and one 30 sq m (360 sq ft) stand-alone temporary office trailers to be located to the rear of the building and temporary parking area for use by office staff during the renovation process. The trailers will be mobile (on wheels) and will not be connected to municipal services; a portable washroom will be provided for employee use.

The 1.5 acre property is located within an established industrial area and surrounding uses are primarily industrial in nature. The rear portion of the property is adjacent to the running track and playing field at Pitt River Middle School. The site is largely devoid of landscaping and is surfaced with a combination of gravel and pavement.

Temporary Use Permit TUP00014 – 1969 McLean Avenue

The authority to issue temporary use permits is set out in S.493 of the *Local Government Act*. A permit may be valid for up to three years, be renewed for an additional three years, and may specify conditions under which the temporary use is carried out. The legislation also requires public notification of the proposed issuance of a permit.

The policies of the Official Community Plan encourage opportunities to support new business opportunities and employment ventures. The site's zoning is General Industrial (M1) which provides for typical industrial uses and a limited amount of supportive accessory offices but does not allow for stand-alone office buildings or mobile office trailers.

DISCUSSION

The mobile office buildings are intended to be temporary and will support the outdoor storage and dispatching uses on the site during the building renovation process. The mobile buildings will be screened from McLean Avenue by the existing warehouse. The applicants will be improving the aesthetics of the site through their site development, including façade improvements to the building and by landscaping along McLean Avenue and adjacent to the school field.

The applicants intend to submit a building permit for the renovation work prior to September 1st, 2019 and expect to complete construction within 6-12 months of permit issuance. An 18 month permit reflects a reasonable timeframe and can be extended should renovations be delayed unexpectedly. A \$5000 bond would be a requirement of the permit to ensure the office trailers are removed upon completion of the work.

FINANCIAL IMPLICATIONS


None

PUBLIC CONSULTATION

A public input opportunity is required prior to consideration of a temporary use permit. The Committee of Council has the delegated authority to consider the permit and the public input opportunity would be scheduled for July 9th, 2019.

OPTIONS

(Check = Staff Recommendation)

#	Description
1 	Authorize notification of the temporary use permit application

Temporary Use Permit TUP00014 – 1969 McLean Avenue

2	Request staff provide additional information or an amended proposal prior to making a decision on whether or not to proceed with the application
3	Not authorize notification of the temporary use permit if Committee does not support the requested use. The applicant may then request the application be forwarded to Council for consideration.

RECOMMENDATIONS:

That Committee of Council recommend to Council that:

1. The Zoning Bylaw be amended to allow for a cannabis retail sales use at 985 Nicola Avenue; and,
2. Prior to adoption of the amending bylaw, the following community benefits be secured to the satisfaction of the Director of Development Services:
 - a. Dedication of road allowance along the property's Nicola Avenue frontage; and
 - b. Posting of signs within the interior and exterior buildings informing the public of the Smoking Bylaw.

PREVIOUS COUNCIL/COMMITTEE ACTION

April 16, 2019: Committee of Council resolved to give further consideration to a rezoning application for a cannabis retail sales use at 970 Dominion Avenue.

REPORT SUMMARY

The Liquor Distribution Branch is proposing to locate a cannabis retail sales use within an existing commercial development at 985 Nicola Avenue (former address 970 Dominion Avenue). This report describes how the proposal complies with the City's *Cannabis Establishment Policy* and recommends the bylaw amendment, subject to securing the proposed community benefit as a condition of approval.

BACKGROUND

In 2018, the City conducted a comprehensive review process that included consultation with cannabis industry representatives, local businesses and the broader community to determine the appropriate regulations and policies to be applied to land use decisions related to the production and retail sale of cannabis in Port Coquitlam. Following the completion of this review, Council adopted an approach that would allow for its consideration of cannabis retail outlets on a site-specific basis and approved the *Cannabis Establishment Policy* to guide this future consideration through the rezoning process. Anticipating multiple applications, Council further directed that it would provide a 30-day window during which applications would be received in order to provide for their concurrent evaluation. The site at 985 Nicola is one of four sites selected to be given further consideration at this time.

The Liquor Distribution Branch is proposing to offer cannabis retail sales in a large unit within an existing commercial complex, the PoCo Power Centre at 985 Nicola (formerly 970 Dominion Avenue). The unit is located on the north portion of the building, shown in the image below. The Liquor Distribution Branch has confirmed that, as a Provincial agency, a cannabis retail sales licence from the Liquor and Cannabis Licensing Branch would not be required.

Rezoning Application RZ000190 – 985 Nicola Avenue



Shown above is the subject property (top left), proposed storefront design (top right), and an elevation drawing of the commercial frontage (PoCo Power Centre).

Evaluation of 985 Nicola Avenue Rezoning Application RZ000190		
Cannabis Establishment Policy - Siting Criteria		
i.	Designated as Downtown Commercial, Neighbourhood Commercial, Highway Commercial or Transit Corridor Commercial the Official Community Plan;	Complies with Highway Commercial land use designation
ii.	Located at least 1 kilometre from a property zoned to permit a cannabis retail sales use;	No sites are zoned and no proposals are under consideration for this use within 1km
iii.	Located at least 250 metres from a school, playground, community centre or sports field.	Complies
Cannabis Establishment Policy - Evaluation Factors		
i.	Distance to other uses, such as child care facilities, community gathering spaces, recovery	None within the vicinity

Rezoning Application RZ000190 – 985 Nicola Avenue

Evaluation of 985 Nicola Avenue Rezoning Application RZ000190	
homes and emergency shelters;	
ii. Potential impacts to residents, if in a building with a mix of commercial and residential uses;	Not applicable
iii. Access for vehicles, including potential traffic impacts and parking availability;	Access through 1069 Nicola Avenue (Home Depot)
iv. Access for pedestrians and cyclists, including proximity to public transit;	Accessible via bicycle and bus route along Dominion Avenue
v. The proposed size of the outlet is appropriate to the site's context;	Proposal is appropriate at 618 m ²
vi. The proposed interior layout does not include space that could accommodate product sampling;	No space identified
vii. The proposed exterior design is sensitive to the design and character of surrounding land uses, discreet location and design of signage, overall design character is visually appealing; and	Signage and exterior character is sensitive to the overall design of the site
viii. Storefronts do not include opaque window coverings, bars on windows, metal shutters or signage in windows.	In accordance with Provincial regulations, the storefront uses a light grey, opaque window cover, with a layered white window graphic depicting trees
Additional Information relevant to the proposed Cannabis Retail Sales Use	
i. Site Zoning	District Commercial (DC)
ii. Proposed hours of operation	10am-10pm
iii. Potential for odour	Filtration system and vacuum sealed air-tight products
iv. Security considerations	Security plan provided to satisfy provincial and federal legislative requirements
v. Staffing	Estimate 13 employees, with an additional 4-6 auxiliary staff (all union members)
vi. Public Consultation with surrounding residents and businesses	The applicant has provided documentation of consultation with the commercial tenants

The applicant notes that, as a government store, revenues would be directed back to the Province to support public services. Liquor Distribution Branch employees, who would be union members, also undertake fundraising and education campaigns. In keeping with the *Cannabis Establishment Policy*, the applicant would be required to post signs within the interior and exterior of the building providing information to the public on the City's Smoking Bylaw.

Nicola Avenue, to the south of the property, is being developed as a collector route linking the Fremont Connector with Ottawa Street but the road has not been constructed to meet City standards where adjacent to the subject property. It is recommended that, as an additional public benefit, the property owner be required to dedicate approximately 5 metres along the Nicola frontage to allow the City to complete construction of the road and improve traffic flow through the area.

Rezoning Application RZ000190 – 985 Nicola Avenue

DISCUSSION

The rezoning application meets the criteria set by the *Cannabis Establishment Policy* and would provide community benefit through completion of Nicola Avenue, as well as public employment, education and revenues. Approval is recommended.


FINANCIAL IMPLICATIONS

None.

PUBLIC CONSULTATION

A rezoning sign is posted on the property. To date, staff have not received any comments pertaining to a cannabis retail sales use at this location.

OPTIONS

	Description
1 	Recommend to Council that the Zoning Bylaw be amended to allow for cannabis retail sales at 985 Nicola Ave (formerly 970 Dominion Ave) subject to a commitment to secure the proposed community benefits.
2	Request additional information or amendments to the application to address specified issues prior to making a decision on the application.
3	Recommend to Council that the rezoning application be refused.

ATTACHMENTS

Attachment #1: Location Map

Lead author(s): Graeme Muir, Jennifer Little

CITY OF PORT COQUITLAM
REZONING APPLICATION LOCATION

PROJECT ADDRESS: 985 Nicola Avenue

FILE NO: RZ000190



RECOMMENDATIONS:

That Committee of Council recommend to Council that:

1. The Zoning Bylaw be amended to allow for cannabis retail sales at 1502 Broadway Street; and,
2. Prior to adoption of the amending bylaw, the following charitable benefits be secured to the satisfaction of the Director of Development Services:
 - a. Commitment to providing an annual \$2500 scholarship for a secondary student and a \$5000 donation to community organization(s) in Port Coquitlam,
 - b. Commitment to paying full-time employees a living wage,
 - c. Restoration of the riparian area planting, and
 - d. Posting of signs within the interior and exterior buildings informing public of the Smoking Bylaw.

And that, upon adoption of the amending bylaw, Committee of Council direct staff to advise the Liquor and Cannabis Licensing Branch of the following:

- a. That the City of Port Coquitlam recommends issuance of an application for a non-medical retail cannabis licence at 1502 Broadway Street.
- b. The City of Port Coquitlam's comments on the prescribed considerations are as described in the staff report titled, Rezoning Application RZ000170 – 1502 Broadway Street; and
- c. The views of residents were solicited through posting a sign onsite and conducting a rezoning Public Hearing at a Council meeting.

PREVIOUS COUNCIL/COMMITTEE ACTION

April 16, 2019: *Committee of Council resolved to give further consideration to a rezoning application for 1502 Broadway Street.*

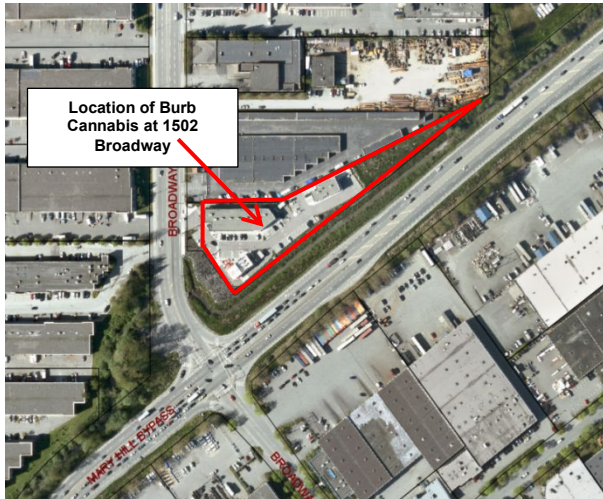
REPORT SUMMARY

Burb Cannabis Corp., which currently operates a retail clothing and cannabis accessory business at 1502 Broadway Street, has submitted a rezoning application to include cannabis retail sales. This report describes how the proposal complies with the City's Cannabis Establishment Policy and recommends the bylaw be amended, subject to securing the proposed community benefits as a condition of approval.

BACKGROUND

In 2018, the City conducted a comprehensive review process that included consultation with cannabis industry representatives, local businesses and the broader community to determine the appropriate regulations and policies to be applied to land use decisions related to the production and retail sale of cannabis in Port Coquitlam. Following the completion of this review, Council adopted an approach that would allow for its consideration of cannabis retail outlets on a site-specific basis and approved the *Cannabis Establishment Policy* to guide this future consideration through the rezoning process. Anticipating multiple applications, Council further directed that it

Rezoning Application RZ000170 – 1502 Broadway Street



would provide a 30-day window during which applications would be received in order to provide for their concurrent evaluation. The site at 1502 Broadway is one of four sites selected to be given further consideration at this time.

Burb Cannabis Corp. currently operates a retail store at the corner of Broadway Street and Mary Hill Bypass, selling clothing and cannabis accessories and wishes to provide cannabis retail sales. A building permit (tenant improvements) was approved for the current retail use and no

structural changes to the premises would be required for the proposed additional use. The applicant has also applied to the Liquor & Cannabis Regulation Branch to acquire a provincial licence for cannabis retail sales.

Evaluation of 1502 Broadway Street Rezoning Application RZ000178

Cannabis Establishment Policy - Siting Criteria	
i. Designated as Downtown Commercial, Neighbourhood Commercial, Highway Commercial or Transit Corridor Commercial by Official Community Plan;	Complies – site's land use designation is Highway Commercial
ii. Located at least 1 kilometre from a property zoned to permit a cannabis retail sales use;	No sites are zoned and no proposals are under consideration within 1 km
iii. Located at least 250 metres from a school, playground, community centre or sports field.	Complies
Cannabis Establishment Policy - Evaluation Factors	
i. Distance to other uses, such as child care facilities, community gathering spaces, recovery homes and emergency shelters;	None within the vicinity
ii. Potential impacts to residents, if in a building with a mix of commercial and residential uses;	Not applicable
iii. Access for vehicles, including potential traffic impacts and parking availability;	Appropriate access and egress to the site off of Broadway
iv. Access for pedestrians and cyclists, including proximity to public transit;	Accessible via bicycle and bus along Broadway Street and Mary Hill Bypass
v. The proposed size of the outlet is appropriate to the site's context;	Size is appropriate (344 m ² / 3700 sq.ft.)
vi. The proposed interior layout does not include space that could accommodate product sampling;	No space identified
vii. The proposed exterior design is sensitive to the design and character of surrounding land uses, location and design of signage is discreet and the overall design character is visually appealing; and	Signage and exterior character is sensitive to the overall design of the site

Rezoning Application RZ000170 – 1502 Broadway Street

viii. Storefronts do not include opaque window coverings, bars on windows, metal shutters or signage in windows.	Per Provincial regulations, an opaque, pale taupe window cover that varies in shading covers a portion of the storefront windows; remaining windows are transparent
Additional Information relevant to the proposed Cannabis Retail Sales Use	
i. Site Zoning	District Commercial
ii. Proposed hours of operation	9am-11pm
iii. Potential for odour	Charcoal filtration system and vacuum sealed air-tight products
iv. Security considerations	Master security plan provided
v. Staffing	15 employees (10 FT, 5 PT) Living Wage paid to full time employees;
vi. Public Consultation with surrounding residents and businesses	Documentation provided of consultation with adjacent commercial businesses

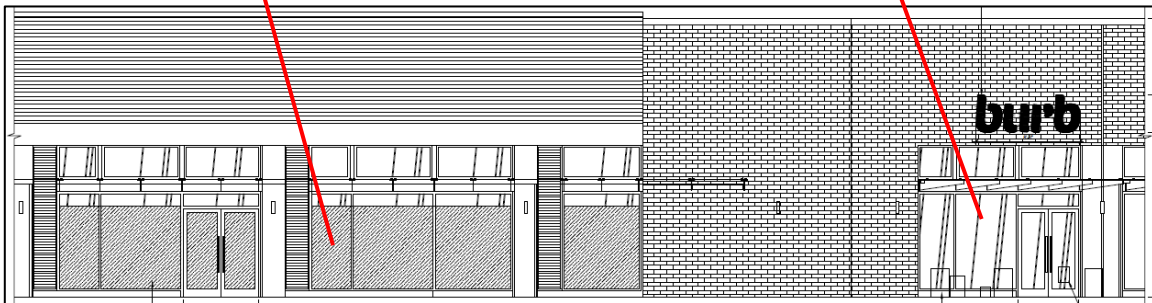


Image of the current storefront design

The applicant has proposed a community benefit to include an annual \$2,500 scholarship for post-secondary education for a student at Port Coquitlam secondary school, a Living Wage for employees, \$5,000 contribution in financial support to community organizations such as the PoCo Community Foundation and quarterly social initiatives that would include citywide events as well as Burb employee leadership events. In keeping with the Cannabis Establishment Policy, the applicant would be required to post signs within the interior and exterior of the building providing information to the public on the City's Smoking Bylaw.

Rezoning Application RZ000170 – 1502 Broadway Street

The development of this site in 2017 required landscaping improvements within the riparian area of a Class A(O) watercourse which flows between the site and the Mary Hill Bypass. The City approved the planting and released the planting security to the previous owners and now holds a security for the maintenance and monitoring of the riparian area. Some of the required landscaping has been removed by the new owners of the property. The rezoning approval process provides an opportunity for the City to obtain restoration of the riparian area planting and is recommended by staff as an additional community benefit to be associated with the application.

DISCUSSION

The rezoning application meets the criteria set by Council's *Cannabis Establishment Policy*. Further, the proposed conditions of bylaw adoption would include charitable benefit measures including a commitment to provide the yearly scholarship and financial donations, pay full-time employees a living wage and restore the riparian area planting. Approval is recommended.

Local governments must also make a recommendation to the Liquor and Cannabis Regulation Branch for non-medical cannabis retail licence application. This resolution must give specific consideration to the potential location and general impact on the community of the proposal and specify how views of residents have been solicited. Committee of Council has delegated authority to adopt a resolution to provide comment on a cannabis licence application and it is recommended to Committee that the required resolution be endorsed at this time for submission to the Branch after the Zoning Bylaw is amended.


FINANCIAL IMPLICATIONS

None.

PUBLIC CONSULTATION

A rezoning sign is posted on the property. To date, staff have not received any comments pertaining to a cannabis retail sales use at this location.

OPTIONS

	Description
1 	Recommend to Council that the Zoning Bylaw be amended to allow for cannabis retail sales at 1502 Broadway Street, subject to a commitment to secure the proposed community benefits.
2	Request additional information or amendments to the application to address specified issues prior to making a decision on the application.

Rezoning Application RZ000170 – 1502 Broadway Street

3

Recommend to Council that the rezoning application be refused.

ATTACHMENTS

Attachment #1: Location Map

Lead author(s): Graeme Muir, Jennifer Little

CITY OF PORT COQUITLAM
REZONING APPLICATION LOCATION

PROJECT ADDRESS: 1502 Broadway Street

FILE NO: RZ000178



RECOMMENDATIONS:

That Committee of Council recommend to Council that:

1. The Zoning Bylaw be amended to allow for a cannabis retail sales use at 1971 Lougheed Highway; and,
2. Prior to adoption of the amending bylaw, the applicant commit, to the satisfaction of the Director of Development Services, to posting signs within the interior and exterior buildings informing public of the Smoking Bylaw.

PREVIOUS COUNCIL/COMMITTEE ACTION

April 16, 2019: Committee of Council resolved to give further consideration to a rezoning application for a cannabis retail sales use at 1971 Lougheed Highway.

REPORT SUMMARY

The Liquor Distribution Branch is currently proposing to construct a new building as part of an existing commercial development at 1971 Lougheed Highway to accommodate a cannabis retail sales use. This report describes how the proposal complies with the City's *Cannabis Establishment Policy* and recommends the bylaw amendment.

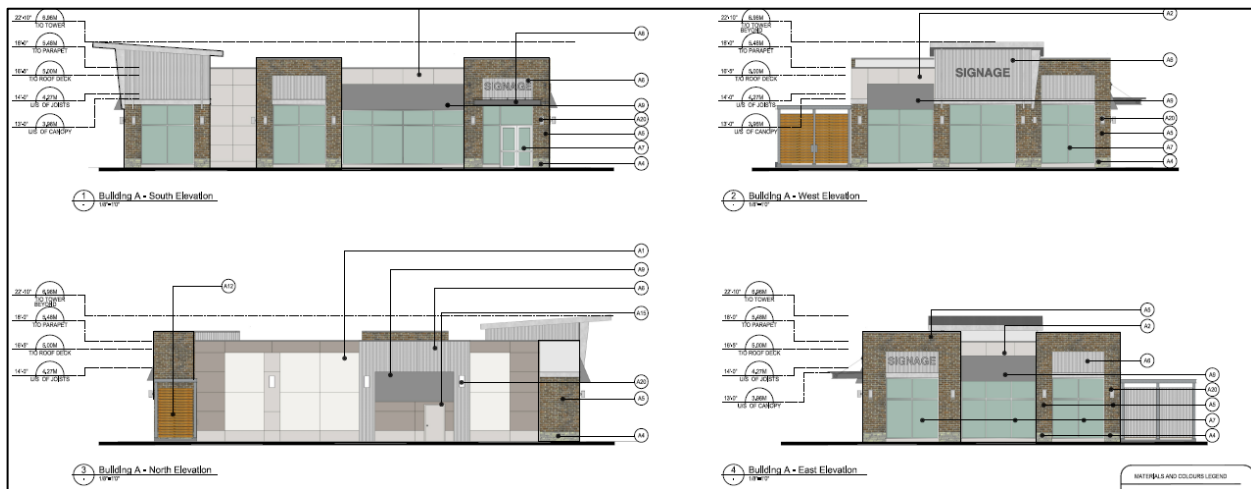
BACKGROUND

In 2018, the City conducted a comprehensive review process that included consultation with cannabis industry representatives, local businesses and the broader community to determine the appropriate regulations and policies to be applied to land use decisions related to the production and retail sale of cannabis in Port Coquitlam. Following the completion of this review, Council adopted an approach that would allow for its consideration of cannabis retail outlets on a site-specific basis and approved the *Cannabis Establishment Policy* to guide this future consideration through the rezoning process. Anticipating multiple applications, Council further directed that it would provide a 30-day window during which applications would be received in order to provide for their concurrent evaluation. The site at 1971 Lougheed Highway is one of four sites selected to be given further consideration at this time.

The Liquor Distribution Branch is proposing to offer cannabis retail sales in a building to be constructed at the north east corner of the Oxford Crossing Shopping Centre. A development permit regulating the design, form and character of a new building is in place for the proposed building. A building permit would be required.

The Liquor Distribution Branch has confirmed that, as a Provincial agency, a cannabis retail sales licence from the Liquor and Cannabis Licensing Branch would not be required.

Rezoning Application RZ000188 – 1971 Lougheed Highway



Rendering and elevation drawings of the proposed BC Cannabis Store located at Oxford Crossing Shopping Centre.

Evaluation of 1971 Lougheed Hwy Rezoning Application RZ000188	
Cannabis Establishment Policy - Siting Criteria	
i. Designated as Downtown Commercial, Neighbourhood Commercial, Highway Commercial or Transit Corridor Commercial by the Official Community Plan;	Complies – site's land use designation is Highway Commercial
ii. Located at least 1 kilometre from a property zoned to permit a cannabis retail sales use;	No sites are zoned for this use and no proposals under consideration within 1 km
iii. Located at least 250 metres from a school, playground, community centre or sports field.	Complies
Cannabis Establishment Policy - Evaluation Factors	
i. Distance to other uses, such as child care facilities, community gathering spaces, recovery homes and emergency shelters;	None within the vicinity
ii. Potential impacts to residents, if in a building with a mix of commercial and residential uses;	Not applicable
iii. Access for vehicles, including potential traffic impacts and parking availability;	Appropriate access and egress to the site via Lougheed Highway, Oxford Street and lane.
iv. Access for pedestrians and cyclists, including	Accessible via bicycle and bus routes

Rezoning Application RZ000188 – 1971 Lougheed Highway

Evaluation of 1971 Lougheed Hwy Rezoning Application RZ000188	
proximity to public transit;	
v. The proposed size of the outlet is appropriate to the site's context;	Proposal is appropriate at 328 m ²
vi. The proposed interior layout does not include space that could accommodate product sampling;	No space identified
vii. The proposed exterior design is sensitive to the design and character of surrounding land uses, location and design of signage is discreet and the overall design character is visually appealing; and	Signage and exterior character is sensitive to the overall design of the site
viii. Storefronts do not include opaque window coverings, bars on windows, metal shutters or signage in windows.	In accordance with Provincial regulations, the storefront uses a light grey, opaque window cover, with a layered white window graphic depicting trees
Additional Information relevant to the proposed Cannabis Retail Sales Use	
i. Site Zoning	District Commercial (DC)
ii. Proposed hours of operation	10am-10pm
iii. Potential for odour	Filtration system and vacuum sealed air-tight products
iv. Security considerations	Security plan provided to satisfy provincial and federal legislative requirements
v. Staffing	Approximately 13 employees, with an additional 4-6 auxiliary staff.
vi. Public Consultation with surrounding residents and businesses	The applicant has provided documentation of consultation with the commercial tenants of the Oxford Crossing Shopping Centre to address any potential concerns

The applicant notes that, as a government store, all revenue would be directed back to the Province to support public services and further that the employees would be unionized. Liquor Distribution Branch employees also undertake fundraising and education campaigns. In keeping with the *Cannabis Establishment Policy*, the applicant would be required to post signs within the interior and exterior of the building providing information to the public on the City's Smoking Bylaw.

DISCUSSION

The rezoning application meets the criteria set by Council's *Cannabis Establishment Policy* and would provide a community benefit through employment, education and revenues. Approval is recommended.

FINANCIAL IMPLICATIONS


Rezoning Application RZ000188 – 1971 Lougheed Highway

None.

PUBLIC CONSULTATION

A rezoning sign is posted on the property. To date, staff have not received any comments pertaining to a cannabis retail sales use at this location.

OPTIONS

	Description
1 	Recommend to Council that the Zoning Bylaw be amended to allow for cannabis retail sales at 1971 Lougheed Hwy.
2	Request additional information or amendments to the application to address specified issues prior to making a decision on the application.
3	Recommend to Council that the rezoning application be refused.

ATTACHMENTS

Attachment #1 – Location Map

Lead author(s): Graeme Muir, Jennifer Little

CITY OF PORT COQUITLAM
REZONING APPLICATION LOCATION

PROJECT ADDRESS: 1971 Lougheed Hwy

FILE NO: RZ000188



RECOMMENDATIONS:

That Committee of Council recommend to Council that:

1. The Zoning Bylaw be amended to allow for a cannabis retail sales use at 2755 Lougheed Highway; and,
2. Prior to adoption of the amending bylaw, the following community benefits be secured to the satisfaction of the Director of Development Services:
 - a. Commitment to providing an annual \$2500 scholarship for a secondary student and a \$5000 donation to charitable organization(s) in Port Coquitlam,
 - b. Commitment to paying full-time employees a living wage, and
 - c. Posting of signs within the interior and exterior buildings informing the public of the Smoking Bylaw.

And that, upon adoption of the amending bylaw, Committee of Council authorize staff to advise the Liquor and Cannabis Licensing Branch of the following:

- a. That the City of Port Coquitlam recommends issuance of an application for a non-medical retail cannabis licence at 2755 Lougheed Highway.
- b. The City of Port Coquitlam's comments on the prescribed considerations are as described in the staff report titled, Rezoning Application RZ000181 – 2755 Lougheed Highway; and
- c. The views of residents were solicited through posting a sign onsite and a Public Hearing at a Council meeting.

PREVIOUS COUNCIL/COMMITTEE ACTION

April 16, 2019: *Committee of Council resolved to give further consideration to a rezoning application for a cannabis retail sales use at 2755 Lougheed Highway.*

REPORT SUMMARY

Burb Cannabis Corp. is currently renovating a commercial unit at 2755 Lougheed Hwy for the purpose of retail cannabis accessories and clothing sales and has submitted a rezoning application to include cannabis retail sales. This report describes how the proposal complies with the City's Cannabis Establishment Policy and recommends the bylaw be amended, subject to securing the proposed community benefits as a condition of approval.

BACKGROUND

In 2018, the City conducted a comprehensive review process that included consultation with cannabis industry representatives, local businesses and the broader community to determine the appropriate regulations and policies to be applied to land use decisions related to the production and retail sale of cannabis in Port Coquitlam. Following the completion of this review, Council adopted an approach that would allow for its consideration of cannabis retail outlets on a site-specific basis and approved the *Cannabis Establishment Policy* to guide this future consideration through the rezoning process. Anticipating multiple applications, Council further directed that it would provide a 30-day window during which applications would be received in order to provide for

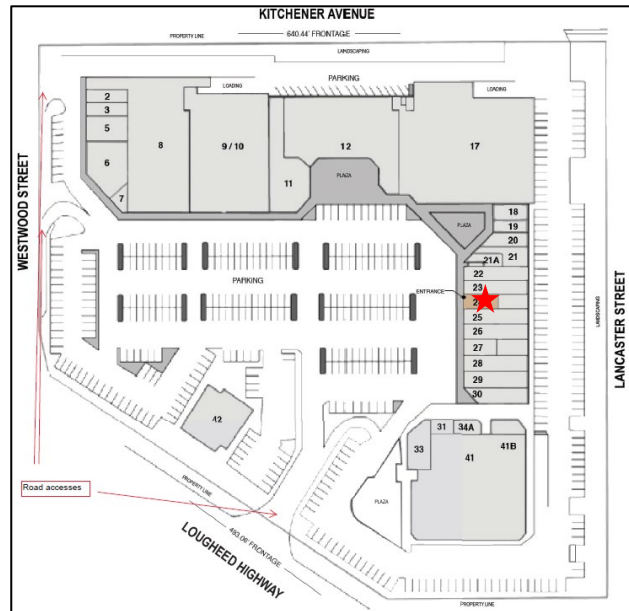
Rezoning Application RZ000181 – 2755 Lougheed Highway

their concurrent evaluation. The site at 2755 Lougheed Highway is one of four sites selected to be given further consideration at this time.

Burb Cannabis Corp. is currently renovating a commercial unit at PoCo Place Mall with the intention of selling clothing and cannabis accessories and wishes to add cannabis retail sales. A building permit (for tenant improvements) was approved for the permitted retail use and no structural changes to the premises would be required for the proposed additional use. The applicant has also applied to the Liquor & Cannabis Regulation Branch to acquire a provincial licence for cannabis retail sales.



Subject property 2755 Lougheed Hwy



Burb Cannabis Corp. cannabis retail outlet

Evaluation of 2755 Lougheed Hwy Rezoning Application RZ000181

Cannabis Establishment Policy - Siting Criteria

i. Designated Downtown Commercial, Neighbourhood Commercial, Highway Commercial or Transit Corridor Commercial by Official Community Plan;	Complies – site's land use designation is Neighbourhood Commercial
ii. Located at least 1 kilometre from a property zoned to permit a cannabis retail sales use;	No sites are zoned for this use and no proposals under consideration within 1 km
iii. Located at least 250 metres from a school, playground, community centre or sports field.	Complies

Cannabis Establishment Policy - Evaluation Factors

i. Distance to other uses, such as child care facilities, community gathering spaces, recovery homes and emergency shelters;	None within the vicinity
ii. Potential impacts to residents, if in a building with a mix of commercial and residential uses;	Not applicable
iii. Access for vehicles, including potential traffic	Appropriate access and egress to the site

Rezoning Application RZ000181 – 2755 Lougheed Highway

Evaluation of 2755 Lougheed Hwy Rezoning Application RZ000181	
impacts and parking availability;	off of Lougheed Hwy, Westwood St and Kitchener Ave
iv. Access for pedestrians and cyclists, including proximity to public transit;	Accessible via bicycle and bus routes along Lougheed Hwy and Westwood St
v. The proposed size of the outlet is appropriate to the site's context;	Proposal is appropriate at 69 m ²
vi. The proposed interior layout does not include space that could accommodate product sampling;	No space identified
vii. The proposed exterior design is sensitive to the design and character of surrounding land uses, location and design of signage is discreet and the overall design character is visually appealing; and	Signage and exterior character is sensitive to the overall design of the site
viii. Storefronts do not include opaque window coverings, bars on windows, metal shutters or signage in windows.	In accordance with Provincial regulations a portion of the storefront uses an opaque, pale taupe window cover that varies in shade.
Additional Information relevant to the proposed Cannabis Retail Sales Use	
i. Site Zoning	Comprehensive Development 2 (CD2)
ii. Proposed hours of operation	9am-11pm
iii. Potential for odour	Charcoal filtration system and vacuum sealed air-tight products
iv. Security considerations	Master security plan provided
v. Staffing	10 employees (5 FT, 5 PT) Living Wage paid to full-time employees
vi. Public Consultation with surrounding residents and businesses	The applicant has provided documentation of consulting with adjacent commercial businesses

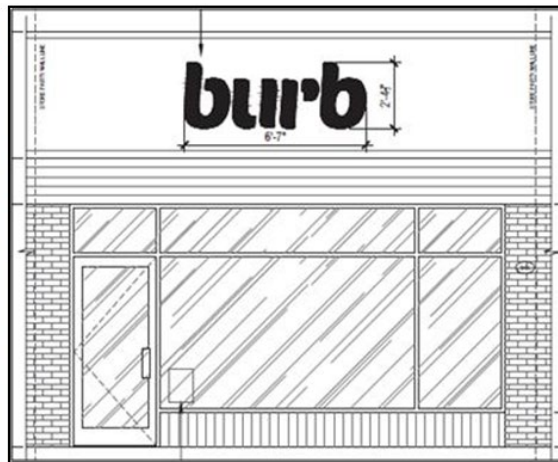


Image of signage (left) and proposed storefront design (right)

Rezoning Application RZ000181 – 2755 Lougheed Highway

The applicant has proposed a charitable benefit that would include an annual \$2,500 scholarship for post-secondary education for a Port Coquitlam secondary student, a Living Wage for all full-time employees, \$5,000 contribution in financial support to community organizations such as the PoCo Community Foundation and quarterly social initiatives that would include citywide events as well as Burb employee leadership events. In keeping with the *Cannabis Establishment Policy*, the application would also be required to post signs within the interior and exterior of the building providing information to the public on the City's Smoking Bylaw.

DISCUSSION

The rezoning application meets the criteria set by Council's *Cannabis Establishment Policy*. Further, the proposed conditions of bylaw adoption would include charitable benefit measures including a commitment to provide the yearly scholarship and financial donations and pay employees a living wage. Approval is recommended.

Local governments must also make a recommendation to the Liquor and Cannabis Regulation Branch for non-medical cannabis retail licence application. This resolution must give specific consideration to the potential location and general impact on the community of the proposal and specify how views of residents have been solicited. Committee of Council has delegated authority to adopt a resolution to provide comment on a cannabis licence application and it is recommended to Committee that the required resolution be endorsed at this time for submission to the Branch after the Zoning Bylaw is amended.


FINANCIAL IMPLICATIONS

None.

PUBLIC CONSULTATION

A rezoning sign is posted on the property. The City has received one written concern about cannabis sales at this location.

OPTIONS

	Description
1 	Recommend to Council that the Zoning Bylaw be amended to allow for cannabis retail sales at 2755 Lougheed Hwy, subject to a commitment to secure the proposed community benefits.
2	Request additional information or amendments to the application to address specified issues prior to making a decision on the application.

Rezoning Application RZ000181 – 2755 Lougheed Highway

3

Recommend to Council that the rezoning application be refused.

ATTACHMENTS

Attachment #1 – Location Map

Lead author(s): Graeme Muir, Jennifer Little

CITY OF PORT COQUITLAM
REZONING APPLICATION LOCATION

PROJECT ADDRESS: 24-2755 Lougheed Hwy

FILE NO: RZ000181



Rezoning Application RZ000148 for a Cannabis Production Facility at 1840 Broadway Street

RECOMMENDATIONS:

That Committee of Council recommend to Council the following:

- 1) That 1st and 2nd Readings be given to a rezoning bylaw to permit a cannabis production facility use in Building B at 1840 Broadway Street, and
- 2) That the following conditions be met prior to the adoption of the rezoning to the satisfaction of the Director of Development Services:
 - a) Completion of a detailed building design from a qualified energy professional and mechanical engineer providing for:
 - i) elimination of potential odours emanating from the building, and
 - ii) reduced energy consumption;
 - b) Registration of a legal agreement to ensure installation of equipment specified to eliminate odour and maintenance of the equipment;
 - c) Submission of a final landscape plan and securities and fees for on-site landscaping, and;
 - d) Completion of detailed design and submission of securities and fees for the following off-site works and services:
 - i) reconstruction of Langan Avenue to ½ road plus one metre complete with curb and gutter, road drainage, sidewalk, street trees, and street lighting,
 - ii) reconstruction of the lane,
 - iii) dedication of 2m x 3m corner cut-offs at Broadway/Langan and Broadway/lane intersections,
 - iv) installation of signage to indicate left turns are not permitted onto Broadway Street, and
 - v) construction of a concrete barrier in the road centre median to prevent left turns out of the Broadway Street driveway exit.

PREVIOUS COUNCIL/COMMITTEE ACTION

At the February 5 , 2019, Committee of Council meeting, the following motion was passed:

That Committee of Council postpone the motion on the floor [to not authorize notification of Development Variance Permit DVP00059] until receipt of a staff report outlining specific requirements that would need to be met to comply with the City's regulations.

At the June 5, 2018 Smart Growth Committee meeting, the following motion was passed:

That Smart Growth Committee postpone a decision on the 1840 Broadway rezoning application until the following is provided, in addition to the original report:*

- *An outline of the Health Canada approval process for medical marihuana processing facilities, including whether final reading of a rezoning bylaw is needed before Health Canada approval can be given to a facility application; and*
- *Additional information on options to monitor and regulate odour control.*

Additionally, staff are directed that a traffic study not be required for the application.

**The original report had identified the following conditions (in summary)*

- *Design for upgrading the building to eliminate odour and reduce energy consumption*

Rezoning Application RZ000148 for a Cannabis Production Facility at 1840 Broadway Street

- *Landscaping plan to include upgraded fence design and substantial planting*
- *Building design per development permit area guidelines for industrial development*
- *Site and building plans to confirm compliance with zoning and parking regulations*
- *Confirmation of expected marihuana uses and annual production amounts.*

REPORT SUMMARY

This report brings forward a recommendation to Committee that further consideration be given to rezoning the industrial property at 1840 Broadway Street to permit a cannabis manufacturing facility. The proposal has the potential to be in compliance with Council's *Cannabis Establishment Policy* (Attachment 1), subject to fulfilling recommended conditions of approval. In support of this recommendation, information provided by the applicant, Lucava Farms, indicates an intent to meet recommended conditions of approval including eliminating potential cannabis odours, upgrading the site's landscaping and building design, and providing for appropriate access. The report further recommends that improvements to Langan Avenue and the lane be required as conditions of the rezoning. The applicant objects to this requirement and the report includes options to this recommendation for Committee's consideration.

For clarity and ease of reference, this report consolidates information that had been provided in staff reports for this application that were previously considered by the Smart Growth Committee on June 5th, 2018 and by the Committee of Council on February 5th, 2019.

BACKGROUND

The use of cannabis, including the processing of food containing cannabis, is prohibited by the City's Zoning Bylaw unless an amendment to permit this use on a site-specific basis has been approved by Council.


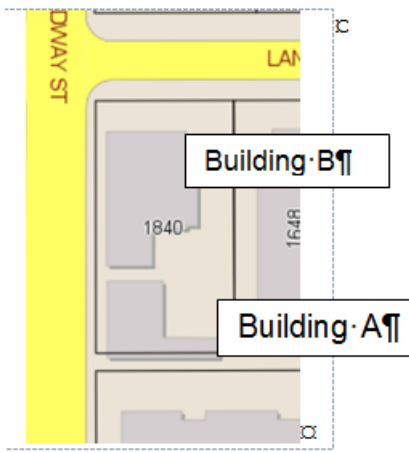
The owner of the property located at the corner of Broadway Street and Langan Avenue, Lucava Farms, wishes to re-use two older industrial buildings which occupy the site to include a cannabis production facility in the larger of the two concrete block buildings (Building B) and a food production facility in the smaller building (Building A), replacing a former metal machinery shop. The remainder of the site is paved for parking and circulation, surrounded by a chain link fence with barbed wire. Access to the site currently includes two driveways on Langan Avenue, one at Broadway Street and one at the lane. Future access to the site will be limited to two driveways: one connecting with Langan and one with Broadway Street. The existing driveway connecting to the lane is to be retained for pedestrian access and access for garbage pickup with a fence and bollards or a no-post barrier to be installed to restrict vehicle access at this point. The intent of this restriction is to reduce traffic conflicts along Broadway Avenue.

The smaller building is currently being renovated for a food production use. In the future, the applicant advises that she wishes to include the production of cannabis edibles in the food production facility, which would require the *Cannabis Act* to be amended to authorize the legal production and sale of edibles containing cannabis and cannabis concentrates use. This use would require further consideration by the City once the federal legislation has been adopted.

Rezoning Application RZ000148 for a Cannabis Production Facility at 1840 Broadway Street

The applicant has advised that the intent for the larger building is to grow cannabis plants for both medical and non-medical purposes within an onsite operation and to dry and cure the product within the building. The intent is also to look at extracting oil from the plants. The volume of production proposed in February 2018 included a harvest of 1500 kilos of marihuana at maximum capacity (3-4 harvests annually); with changes in federal legislation permit edibles, the applicant advises that this business model could change.

Lucava Farms originally applied for rezoning on June 22, 2017 and, at that time, proposed to use the larger building for a medical marihuana production use (the application was prior to the amendment allowing for non-medical production). This proposal was considered by the Smart Growth Committee on June 5th, 2018, after the applicant had responded to initial staff concerns and consulted with area property owners. The Committee determined it would postpone a decision on the application pending receipt of information on Health Canada's approval process and measures to mitigate potential odours, as well as to obtain additional information related to compliance of proposal with the City's guidelines and regulations pertaining to building design, landscape design, production capacity, and site access. The applicant worked with staff to provide the additional information. In addition, a request to vary site landscaping requirements was submitted along with a request that the no offsite improvements be required as a condition of the rezoning. This information was provided to Committee of Council in the staff report considered by February 9th, 2019. At that meeting, Committee determined it would postpone making any decision on the requests (or the rezoning application) until it received information clearly indicating how the City's regulations would apply to the proposed development. Staff have since worked with the applicant to clarify the information provided by her consultants and reviewed additional information submitted in response to the resolutions from both Committees.

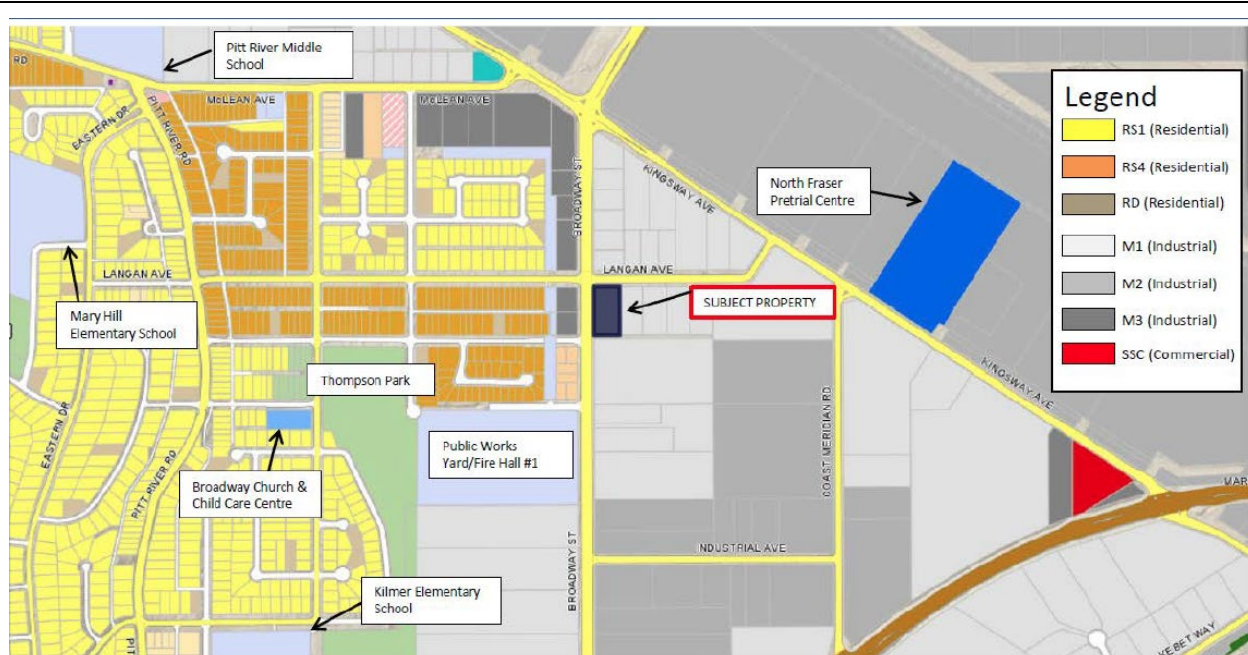
	
1840 Broadway	Site Layout

Rezoning Application RZ000148 for a Cannabis Production Facility at 1840 Broadway Street

DISCUSSION

A. Compliance with Policies & Regulations

Cannabis Establishment Policy (Attachment 1): This site is considered to generally comply with the adopted policy, as the site is located in an industrial area and not close to sensitive uses such as schools or child care facilities. While residential uses are relatively close, they are separated from the site by a major arterial, Broadway Street as shown by the following Zoning Bylaw excerpt.



Zoning map of the subject property identifying the surrounding context within the city.

Official Community Plan: The Official Community Plan designates the site as General Industrial in support of industrial and employment uses in the Broadway Industrial Area and in accordance with the site's industrial designation in Metro Vancouver's Regional Growth Strategy. The Plan includes measures to ensure industrial developments within this area would be compatible with surrounding uses and not adversely impact nearby residential neighbourhoods. While the Plan does not include any policies specific to a cannabis use, a processing use is compatible with its policies

The Official Community Plan also includes the site within an industrial development permit area designation. This designation encourages landscape screening along arterial streets and presentation of an orderly image; the environmental conservation designation promotes reduced energy use as well as other measures to reduce environmental impact. As the current development predates these aesthetic objectives and does not comply with community design objectives, the rezoning application provides an opportunity to achieve aesthetic improvements.

Rezoning Application RZ000148 for a Cannabis Production Facility at 1840 Broadway Street



Broadway Street frontage



Langan Avenue frontage

Zoning Bylaw: The site is zoned Heavy Industrial (M2), which allows for manufacturing and processing uses. The Zoning Bylaw requires that a site-specific zoning be approved for any cannabis use. In addition, it specifies the following landscape requirements (in summary):

- a. A 3m wide landscaped strip including 1 tree/10 lineal metres along both frontages;
- b. A 1m wide landscaped adjacent to a building wall facing the streets; and
- c. A 6m² landscaped area including 1 tree / 8 parking stalls.

The existing site landscaping does not conform to the above regulations, which were adopted as part of the City's initiative to streamline regulations applicable to industrial properties. As noted above, it also does not comply with the Official Community Plan's objectives and guidelines for landscaping and the rezoning application provides an opportunity to obtain the improvements.

Licensing: Cannabis production facilities must obtain a licence from Health Canada and would be required to comply with its standards for security, quality and odour control, health and safety, but provincial approval is not required.

MOTI: In accordance with Section 52 of the Transportation Act, approval from the Ministry of Transportation and Infrastructure (MOTI) for the rezoning would be required as the site is within 800m of a controlled access highway (Mary Hill Bypass).

Rezoning Application RZ000148 for a Cannabis Production Facility at 1840 Broadway Street

B. Recommended Conditions of Rezoning Approval

Odour / Energy Reduction. The attached letter from the applicant's mechanical engineer indicates the percentage of mitigated odours will "approach 100%" and includes information on the proposed construction and equipment maintenance. In addition, the proposed upgrades to the building to permit the cannabis production facility are proposed to include measures to reduce energy consumption. If the bylaw amendment proceeds to be given 3rd Reading, then staff would retain qualified expertise as required to review the applicant's submission and ensure that the stated objective could be realized by the proposed measures as well as implemented to eliminate the potential for odour. Registration of legal documents is a further recommended condition of approval to ensure implementation of the works and require equipment maintenance.

Building Design and Landscaping:



The building elevations to the left illustrate the applicant's proposed upgrades to the existing buildings. These improvements would generally meet the intent of the development permit area designation for industrial development of the Official Community Plan, given the proposed retention and renovation of existing site development. As the proposed exterior works to upgrade existing building façades are relatively minor in scope, issuance of a separate development permit would not be required to regulate the form and character of the improvements.

The fencing would be an improvement over the existing situation and appears to be designed to create a secure site, although its impact would be improved if softened by landscaping.

As shown by the landscape plan below, the proposed landscaping is limited to six street trees on Broadway Street, some dwarf rhododendrons and laurels on the boulevard to replace larger bushes, and two landscaped islands with flowering cherry trees within the parking area. This amount of landscaping is minimal. The applicant's advises she wishes to maintain existing paving along the front of the buildings and the minimal landscaping being proposed reflects the current site situation.

Rezoning Application RZ000148 for a Cannabis Production Facility at 1840 Broadway Street

	 <p>Proposed Fence - Broadway Street Metal picket fence, 8' tall with straight top Versai V2 as manufactured by Fortress Fence Products or equivalent</p>
Proposed landscape plan	Fence detail

Offsite Requirements: Staff recommend that the following offsite improvements be required:

- i) reconstruction of Langan Avenue to ½ road plus one metre complete with curb and gutter, road drainage, sidewalk, street trees, and street lighting,
- ii) reconstruction of the lane,
- iii) dedication of 2m x 3m corner cut-offs at Broadway/Langan and Broadway/lane intersections,
- iv) installation of signage to indicate left turns are not permitted onto Broadway Street,
- v) construction of a concrete barrier in the road centre median to prevent left turns out of the Broadway Street driveway exit, and
- vi) construction of a barrier restricting vehicular access to the site from the lane for vehicles other than garbage trucks.

Note: it was determined that offsite improvements are not required for Broadway Street.

Lucava Farms has requested that Council not require off-site improvements as a condition of the rezoning approval. The applicant would have been required to provide the recommended offsite improvements by bylaw if a new building was to be constructed or the site subdivided. As neither situation applies, the staff recommendation reflects the City's longstanding practice to require provision of offsite improvements if an owner is proposing rezoning to permit a site-specific use when the use that impact use of the adjoining streets. Council recently requested a review of its practice of requiring offsite improvements as a condition of a zoning bylaw amendment. Also, the City is undertaking a review of its Subdivision Servicing Bylaw regulations. Given this current direction and the request from the owner, staff have proposed an option for Committee to consider that it would not require construction of the lane, but only require reconstruction of Langan Avenue.

Rezoning Application RZ000148 for a Cannabis Production Facility at 1840 Broadway Street

This alternative acknowledges that lane traffic would be limited as a barrier restricting vehicular access to the site from the lane for vehicles other than garbage trucks is to be installed as a condition of approval. Staff recommend maintaining requirements for those improvements to Langan Avenue as a condition of approval for this rezoning application because the proposed amendment facilitates a use which could have significant traffic impacts and a significant renovation of the existing building is involved to accommodate the new use. The offsite improvements, if required, would also provide an opportunity for the improvements to obtain street trees that would help compensate for the limited on-site landscaping being proposed. If Committee determines that it does not wish to require the recommended improvements to Langan Avenue, then at a minimum, the applicant should be required to extend a barrier curb along the Langan Avenue frontage to ensure vehicle access to the site is restricted to a driveway further away from the intersection of Langan with Broadway Street. The current driveway access to the west is too close to the intersection and creates a conflict point.

Requiring the recommended corner cut-off dedications would ensure that the security fencing on the perimeter of the site would be set along the new property line to enhance sightlines and safety. This recommendation is in keeping with the City's longstanding practice to obtain the dedication at the time of rezoning, subdivision or permit approval (as applicable).

Requiring installation of signage to indicate left turns are not permitted onto Broadway Street and the construction of a concrete barrier in the road centre median would help prevent left turns out of the Broadway Street driveway. While staff had initially proposed that this access be eliminated, the applicant advised she wished to retain the existing access and staff support the turn restriction and barrier construction as an alternative solution.

FINANCIAL IMPLICATIONS

None. However, the City's overall funding of offsite infrastructure improvements would be impacted if Committee determines it does not wish to require off-site improvements for this development.

ENVIRONMENTAL IMPLICATIONS

The potential benefits of this application include reduction of greenhouse gas emissions, if the buildings are appropriately improved and the planting of street trees is required.



PUBLIC CONSULTATION

As noted in a previous report to Committee, the applicant sent letters to inform nearby businesses, residents and SD #43 of the application and advised staff that she received numerous phone calls in support, but one neighbouring business expressed concern related to potential odour. The Board of Education for SD43 provided a letter to the City noting its concern with respect to the site's proximity to schools. To date, staff have received a number of phone and counter enquiries about the proposal from neighbouring businesses and residents, many expressing concern about the potential impact for odour emissions.

Rezoning Application RZ000148 for a Cannabis Production Facility at 1840 Broadway Street

A development sign remains posted on the site. If the rezoning proceeds, the sign would be updated to indicate the date of public hearing, and the hearing would allow for further public comment.

OPTIONS

#	Description
1 	Recommend to Council proceeding with rezoning to permit a cannabis production facility use at 1840 Broadway Street and to require the recommended conditions to mitigate the potential impacts of this use.
2 	Recommend to Council proceeding with the amending bylaw excluding condition 2(d)(ii), if Committee does not wish to require offsite improvements to the lane (this alternate recommendation reflects elimination of vehicular access between the site and the lane).
3	Recommend to Council proceeding with the amending bylaw excluding conditions 2(d)(i) and 2(d)(ii), if Committee does not wish to require offsite improvements to the lane or Langan Avenue. If this option is selected by Committee, staff recommend that a new condition be added to require the applicant to construct a curb to replace existing driveway letdowns that are too close to Broadway Street and specific consideration be given to requiring street trees and/or a sidewalk along the Langan Avenue frontage.
4	Request further information on the application prior to making a decision, such as an independent review of the applicant's submission to ensure the proposal would not result any odour from the cannabis manufacturing activity.
5	Recommend to Council that the rezoning application be refused.

ATTACHMENTS

Attachment #1: *Cannabis Establishment Policy*

Attachment #2: *Letter re Odour Control*



POLICY

Subject Area: Planning			Policy # 5.06
Policy Title: Cannabis Establishment Policy			
Authority:	Legislative	X	Effective Date: 2019-01-08
	Administrative		Review Date: 2024-01-08
Issued By:	Laura Lee Richard, Director of Development Services		Issue Date: 2019-01-18
			Manner Issued: E-mail to Department Heads

Purpose:

The Cannabis Establishment Policy provides a framework for consideration of applications to amend the Zoning Bylaw to permit a cannabis use, including new cannabis retail outlets, cannabis manufacturing, and cannabis distribution facilities.

The policy also informs the City's response to a request for comment on an application for a cannabis retail outlet licence from the Liquor & Cannabis Regulation Branch (LCRB).

Associated Regulations and Policy Documents:

This policy is to be applied in conjunction with:

- Policies and land use designations of the Official Community Plan.
- Regulations of the Development Procedures Bylaw.
- Regulations of the Business Bylaw.
- Regulations of the Smoking Bylaw.
- Regulations of the Sign Bylaw.
- Any other relevant bylaws or policies as may be adopted by Council from time to time.

Policy:

1. Site specific rezoning to permit a cannabis retail outlet use

- a) A site proposed for a cannabis retail outlet should be:

- i. Designated as Downtown Commercial, Neighbourhood Commercial, Highway Commercial or Transit Corridor Commercial by the land use designations map of the Official Community Plan;
 - ii. Located at least 1 kilometre from a property zoned to permit a cannabis retail sales use. For clarity, this distance criterion applies to private cannabis retail outlets and outlets owned or operated by a government agency. It also applies if a site is zoned to permit a cannabis retail sales use but does not include a cannabis retail sales business; and,
 - iii. Located at least 250 metres from a school, playground, community centre or sports field.
- b) In addition to the siting criteria defined in section 1(a), the following factors will be considered in evaluation of a rezoning application for a cannabis retail sales use:
 - i. Distance to other uses, such as child care facilities, community gathering spaces, recovery homes and emergency shelters;
 - ii. Potential impacts to residents, if the proposed use is to be located in a building with a mix of commercial and residential uses;
 - iii. Access for vehicles, including potential traffic impacts and parking availability;
 - iv. Access for pedestrians and cyclists, including proximity to public transit;
 - v. The proposed size of the outlet is appropriate to the site's context;
 - vi. The proposed interior layout does not include space that could accommodate product sampling;
 - vii. The proposed exterior design is sensitive to the design and character of surrounding land uses, location and design of signage is discreet and the overall design character is visually appealing; and
 - viii. Storefronts do not include opaque window coverings, bars on windows, metal shutters or signage in windows.
- c) In evaluating the distance criteria of section 1(a), consideration will be given to potential impacts of geographical and physical barriers such as rail corridors, bridges, rivers and highways.

2. Site specific rezoning to permit a cannabis manufacturing or distribution facility use

- a) A site proposed for a cannabis manufacturing or distribution facility use should be:
 - i. Designated as Heavy Industrial or General Industrial by the land use designations map of the Official Community Plan; and,
 - ii. Located at least 250 metres from a school, playground, community center or sports field, if the proposal includes a manufacturing or processing function. For clarity, this requirement does not apply to a distribution facility.
- b) In addition to the siting criteria defined in section 2(a), the following factors will be considered in the evaluation of a rezoning application for a cannabis manufacturing or distribution facility use:
 - i. Distance to other uses, such as child care facilities, community gathering spaces, recovery homes, emergency shelters and residential uses;
 - ii. Potential impacts to the community, including residents and businesses adjacent to the proposed location;

- iii. Access for vehicles, including potential traffic impacts and parking and loading availability; and
 - iv. The proposed size and scale of the manufacturing or processing uses.
- c) In evaluating the distance criteria of section 2(a), consideration will be given to potential impacts of geographical and physical barriers such as rail corridors, bridges, rivers and highways.

3. Licence Amendments

- a) The siting criteria and factors applicable to evaluation of a rezoning application will also be applied in the evaluation of an application to amend a non-medical cannabis retail licence.

4. Public Consultation

- a) An application for rezoning to permit a cannabis use must include documentation of input gathered from surrounding residents and businesses.
- b) Council or Committee may direct that an applicant hold an advertised public information meeting in its consideration of a rezoning application or request for comment on a cannabis licence.

5. Conditions of Rezoning

- a) Council may require that one or more of the following conditions must be met prior to the adoption of a rezoning bylaw:
- i. The posting of a minimum of two signs within the interior of the building and a minimum of one sign on the exterior of the building, with all signs having dimensions of at least 12" x 18". The signage shall provide the public with information on the Smoking Bylaw;
 - ii. The installation of a filtration system designed to eliminate odor impacts on surrounding lands and a requirement to maintain this system;
 - iii. Funding for off-site improvements (e.g., sidewalks, crosswalks, street lighting, street trees, road works);
 - iv. Specified hours of operation;
 - v. Implementation of measures to create a community benefit; and
 - vi. Any other conditions as may be required by Council.

Responsibility:

The Director of Development Services

END OF POLICY

Record of Amendments:

Policy	Issue date	Reviewed	Replaced	Re-issue Date
5.06	2019-01-18			

WEC project number: 037759.00

September 13, 2018

Attention: Leslie Wallace
Owner Lucava Farms

Subject: Lucava Farms - Grow Operation
1840 Broadway Street, Port Coquitlam, BC

This letter is to confirm that Lucava Farms has retained Williams Engineering (WEC) for Mechanical and Electrical engineering design services to the North Building for a new industrial Cannabis Growing Operation. It is intended to also answer questions posed by the September 7, 2018 letter from the City of Port Coquitlam.

Design Intent

Mechanical systems will be designed to meet ASHRAE and NFPA requirements and to be compliant with the BC Building Code and other reference design standards to good engineering practice. Furthermore, the intent is to minimize energy use and the grow operation's impact on the adjacent neighbourhood including equipment noise levels and to provide odour control to the building exhaust air. Odours to the outdoors could occur through two paths: 1. through leakage from the building envelope, and 2. through the building exhaust air. The envelope integrity will be addressed by the project Architect under a separate document. The exhaust air treatment will be addressed by Williams Engineering, to which we have the following design comments:

- Odour control will be provided by two types of filtration. The return air and supply air to the spaces will have approximately 60% of the odour removed by MERV 15 rated air filtration systems from the grow rooms. This will also reduce odour for occupants and dilute the odour to the exhaust air. A second level of odour attenuation will occur in the exhaust air stream with the use of active ceramic carbon matrix systems. Downstream of the air handling unit, the level of odour removal by the carbon filtration system from (all of) the exhaust air leaving the building will approach 100%.
- The use of LED lighting for both growing and normal operations will be employed to reduce cooling (energy) demand.
- An electrical design will be provided which considers energy efficiency strategy, including such systems as lighting controls.
- An ideal indoor climate (air change rates, temperature and humidity levels) will be achieved by installing an intelligent dehumidification & HVAC system for indoor climate control which, will also optimise energy use through automatic 'turn-down' and 'turn-off'.
- With the decision to use LED grow lighting, heat recovery from the exhaust air and the dehumidification system (compressors) will further reduce energy requirements significantly (ie. reduce gas and/or electrical consumption) for conditioning of the growing spaces.
- Variable outdoor air flow and free cooling will be employed where/when appropriate.
- Intelligent design of air delivery systems to reduce fan power and therefore electrical power consumption.

Answering the questions from the City of Port Coquitlam letter dated September 7, 2018, we have the following comments:

1. Has Williams Engineering conducted a site visit to 1840 Broadway and inspected Building B, please confirm. *Yes, Williams Engineering has conducted site visits both mechanically and electrically.*
2. Provide a summary of building improvements necessary to seal the existing building envelope. A bulleted list would suffice. *The building envelope will be primarily addressed by the project Architect under separate documents. To minimize contamination infiltration potential, the grow areas need to have a slight positive pressurization to adjacent areas or outside. Therefore, airlocks will be*

provided and the building envelope will need to be sealed. As noted above, the filtration of the return and supply air to the spaces will reduce the odour potential from minor envelope leakage significantly.

3. Does sealing the building envelope include insulating the building? Will this reduce energy emissions? *Envelope and insulation requirements are primarily addressed by the project Architect under the requirements of the BC Building Code. WEC will have input to envelope requirements to ensure the temperature and humidity levels can be maintained within the grow and other spaces within the facility. Surface temperatures are as significant consideration to prevent condensation. Insulation will reduce energy consumption/emissions, but reducing envelope leakage has a larger impact on energy reduction.*
4. How will the bay doors opening into the grow rooms be sealed? *It is our understanding that the architect is eliminating the bay doors, or where needed for loading/delivery vehicles, a vestibule/room will be created around the loading area to create an environmental separation to the outdoors.*
5. Confirm what percentage of odours is expected to be mitigated by sealing the building and adding the "active carbon matrix systems". *The percentage of odours mitigated will be high and will approach 100%.*
6. Provide information about standard maintenance necessary to keep the odour mitigation measures optimally functioning. *WEC will provide a maintenance program as part of the design specification. As well, the project maintenance manuals provided by the HVAC contractor (required by our spec) will have equipment manufacturers maintenance information provided. Essentially the air filters will need to be changed out every 2-4 years; the carbon filter change out period will be determined by the ventilation rates/amounts and the manufacturers requirements which will be outlined in the manuals after construction.*
7. Confirm if the proposed LED lighting will be used for growing or only for standard building lighting. *Two sets (actually three sets) of lighting will be provided: LED fixtures specialized for growing operations; and also LED lighting for normal operations (when not growing), emergency lighting for exiting under failure of the normal power supply will also be provided per the requirements of the BCBC.*
8. Will any of the building upgrades impact the building exterior? *Mechanically, a new water entry room will be provided near the exterior stair on the west (Broadway) side of the building. Air handling equipment may be located on the exterior of the building (but not on the roof). Electrically, there will be no changes to the exterior of the building. The current electrical service is likely large enough for the new use. The remainder of the building exterior impacts would be Architectural in nature and are not considered as part of this scope.*
9. Please have the qualified energy professional and mechanical engineer sign and seal the letter. *See seal below.*

Yours truly,

Williams Engineering Canada Inc.



Collin Cronkhite, P.Eng. CP
Branch Manager

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