

## Rezoning Application RZ000190 – 985 Nicola Avenue

### 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
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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 <sup>2</sup>
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.

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### **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

