
TO: Committee of the Whole **DATE:** June 11, 2019

FROM: Nick Redpath
Planner **FILE:** PL2019-043

SUBJECT: Non-Medical Cannabis Retail Store Licence Application No. PL2019-043
3125 Van Horne Road – Electoral Area F
Lot 6, District Lot 7, Cameron District, Plan 22313

RECOMMENDATIONS

1. That the Board receive the Summary of the Public Meeting held on April 16, 2019, Public Submissions and Comments and Petition of Support regarding Non-Medical Cannabis Retail Store Licence Application No. PL2019-043.
2. That the Board adopt the resolution supporting Non-Medical Cannabis Retail Store Licence Application No. PL2019-043 attached to this report as Attachment 2.

SUMMARY

A referral has been received from the Liquor & Cannabis Regulation Branch (LCRB) to consider an application for a non-medical cannabis (NMC) retail store licence for property located at 3125 Van Horne Road in the Hilliers area. The proposed licence would allow for a NMC retail store to operate seven days a week, from 11:00 am to 6:00 pm in an existing building. The proposed NMC retail store licence application requires a resolution from the Regional District of Nanaimo (RDN) Board before it can be processed by the LCRB. If no resolution or a resolution of non-support is provided, the LCRB will not consider the application any further. The RDN is requested by the LCRB to consider the impact the proposed store may have on the community, as well as to consult with neighbouring property owners prior to providing a resolution.

The proposed NMC retail licence application went before the Electoral Area Services Committee (EASC) at its regular meeting held on May 14, 2019. At this meeting, the following motions were defeated by the EASC:

“That the Board receive the Summary of the Public Meeting held on April 16, 2019 and Public Submissions and Comments regarding Non-Medical Cannabis Retail Store Licence Application No. PL2019-043”; and

“That the Board adopt the resolution supporting Non-Medical Cannabis Retail Store Licence Application No. PL2019-043 attached to this report as Attachment 2”

The motions were both defeated by the EASC and at the meeting, no new motions were provided. Following this meeting the applicant requested that final consideration of the referral

be delayed pending local consultation to discuss and address concerns raised by the public at the Public Meeting (PM) on April 16, 2019 and at the EASC. Upon notifying the Province of the outcome of the EASC meeting, they indicated that a motion regarding the referred NMC retail store licence must come from the entire Regional District Board and not a land use planning committee. Based on direction from the province and the request by the applicant to work to address concerns raised by the public, this application is now before the Committee of the Whole for consideration.

Following the May 14 EASC meeting, the applicant has undertaken further public consultation and has submitted a petition in support of the proposed NMC retail store containing 50 signatures from residents of the surrounding community that is attached for Board consideration. The majority of the signatures are within close proximity to the store, 25 of which fall within the 300 metre public notification radius.

The proposed licence application is consistent with Board policies and zoning requirements for NMC retail stores. Through additional outreach by the applicant, steps have been taken to provide information to address the local community concerns and negative impacts are not anticipated from the proposed NMC retail store. Given compliance with Board policies and land use regulations, it is recommended that the prepared resolution in support of the NMC retail store licence be forwarded to the LCRB, pending Board consideration.

BACKGROUND

The LCRB has referred an application to the RDN for a NMC retail store licence from Nicole Richard of Coombs Classy Grass Inc. This application was originally considered at the EASC at its regular meeting held on May 14. At this meeting, the following motions were defeated by the EASC:

“That the Board receive the Summary of the Public Meeting held on April 16, 2019 and Public Submissions and Comments regarding Non-Medical Cannabis Retail Store Licence Application No. PL2019-043”; and

“That the Board adopt the resolution supporting Non-Medical Cannabis Retail Store Licence Application No. PL2019-043 attached to this report as Attachment 2”

The motions were both defeated by the EASC and at the meeting, no new motions were provided. Following this meeting the applicant requested that final consideration of the referral be delayed pending local consultation to discuss and address concerns raised by the public at the PM held on April 16, 2019 and at the EASC. Upon notifying the Province of the outcome of the EASC meeting, they indicated that a motion regarding the referred NMC retail store licence must come from the entire Regional District Board and not a land use planning committee. Based on direction from the Province and the request by the applicant to work to address concerns raised by the public, this application is now before the Committee of the Whole for consideration.

All applications for a NMC retail store licence must be submitted to the LCRB as they are the issuing authority. Once an application is received, the LCRB will notify the local government of the area where the proposed store will be located. If the local government chooses to make a recommendation on the application, the LCRB requests that the local government consider the

community impacts and views of nearby residents of the proposed NMC retail store licence application.

The proposed NMC retail store is to be located within an existing building located at 3125 Van Horne Road Alberni Highway in Hilliers. The property is zoned Commercial 3 (C-3) pursuant to the “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285, 2002”. The existing C-3 zoning on the property includes ‘Retail Store’ as a permitted principal use. The proposed retail store is compatible with adjacent uses as neighbouring properties along Van Horne Road are also zoned C-3 (see Attachment 6).

The property is located to the north of Van Horne Road and bordered by Jones Road to the west, a commercially zoned property to the east and a commercially zoned property and mobile home park to the north (see Attachment 1 – Subject Property Map).

Other uses on the subject property within the existing building include a clothing store, coffee shop and other commercial businesses that are all serviced by an on-site well and sewage system.

It is important to note that through consultation on the issue of retail cannabis sales by the Province, the RDN Electoral Areas chose to consider this type of sale of goods like other retail sales, not require rezoning for the use and adopted “Board Policy B1.24 - *Non-Medical Cannabis Retail Store Licence Applications*” to ensure that local input was considered in order to inform a resolution on the issuance of a NMC licence.

Proposed Development

The applicant requests a motion of support from the RDN Board as part of their ongoing application with the LCRB to operate a provincially licensed retail store to sell non-medical cannabis out of an existing building located at 3125 Van Horne Road in Hilliers.

The proposed hours of operation for the retail store are from 11:00 am to 6:00 pm, seven days a week. The proposed retail shop will be approximately 167 m² in size and located in unit number eight within the north west portion of the existing building (see Attachment 3 – Proposed Site Plan). The applicant will require a building permit prior to the commencement of construction associated with the proposed retail licence.

Cannabis Retail Implications

Applicants for a NMC retail store licence must submit a licence application to the LCRB. When an application is received, the LCRB will notify the local government of the area where the proposed store will be located. Upon receipt of notice, local governments can choose not to make any recommendation in respect of the application, ending the licence application as the LCRB cannot issue a licence without a positive recommendation from the associated local government. If the local government chooses to make a recommendation on the application, the LCRB requests that the local government gather the views of the nearby residents affected by the NMC retail store application. If the local government makes a recommendation to deny the application then the LCRB may not issue the licence. If the local government makes a recommendation in favour of the application, then the LCRB has discretion whether or not to issue the licence, but must consider the local government’s recommendation.

If the local government decides to consider the notice of application and to provide comments and recommendations on the licence application, it must gather the views of residents of the area if the location of the proposed store may affect nearby residents. Recommendations and comments provided from the local government to the LCRB must:

- be in writing;
- show that the local government has considered the location of the proposed store;
- include the views of the local government on the general impact on the community if the application is approved;
- include the views of residents if the local government has gathered resident's views, and a description of how they were gathered;
- include the local government's recommendation as to whether the application should be approved or rejected and provide the reasons upon which the recommendation is based; and
- provide any supporting documents referenced in their comments.

The Board resolution is required to take the form of the resolution included as Attachment 2. The content of the resolution has been prepared for the Board's consideration. This resolution may be amended as deemed necessary by the Board.

Board Policy B1.24 Implications

Board Policy B1.24 also provides the RDN Board criteria for consideration of community impacts including the location of the establishment, proximity to sensitive uses and other existing non-medical cannabis retail stores, size and proposed hours of operation, socio-economic information, OCP and zoning policies and referral responses received through public notification. A community impact statement to address criteria within Board Policy B1.24 was submitted by the applicant (see Attachment 5 – Community Impact Statement).

Parcels directly adjacent to the property with the exception of the manufactured home park to the north east are commercially zoned but currently being used as residential. The area is identified as a village centre and current zoning would allow for the expansion of a wide variety of commercial and light industrial activities along Jones and Rinvold Roads (see Attachment 6 – Zoning Map). The retail and commercial building that is the proposed location of the NMC retail store has been there for several years and the proposed NMC retail store will be occupying an existing vacant unit in the building. The proposed location for the NMC retail store is in an existing building and no new development is required for this proposal.

Board Policy B1.24 establishes a separation distance of 300.0 metres between the proposed NMC retail store and any existing licensed NMC retail stores and sensitive uses, including schools, playgrounds, community centres and daycares, which are in operation at the time the application is made. The proposed NMC retail store meets all of the 300.0 metre separation requirements of Board Policy B1.24.

Related to community impacts and included in Board Policy B1.24 are considerations of parking from the proposed use. The property has adequate existing on-site parking to accommodate the existing commercial building and the proposed NMC retail store. All parking can be accommodated on site and parking on the street is not required.

To address Socio-Economic information related to the proposed NMC retail store, the applicant states that the store will increase business to surrounding businesses and also create employment as workers will be needed to operate the store.

The proposed NMC retail store is in a location that is consistent with Board Policy B1.24 and complies with all zoning regulations. If approved by the LCRB, the proposed NMC retail store will not require further planning approvals from the RDN (a building permit is required to convert the existing space into a retail store).

Intergovernmental Implications

The applicant's proposal has been referred to the RDN Building Department, the local RCMP, local BC Ambulance Service, Coombs-Hilliers Volunteer Fire Department, MOTI, Island Health, Snaw-Naw-As First Nation and School District 69.

A RDN Building Permit will be required prior to commencement of any construction necessary for the proposed NMC retail store. Island Health responded that the existing sewage disposal system must be in compliance with the Sewerage System Regulation. The Ministry of Transportation and Infrastructure responded with no objections to the proposed store. The Coombs-Hilliers Volunteer Fire Department expressed no objections and requested an up to date floor plan in PDF format for pre fire planning purposes, an up to date contact list and co-operation from the applicant during inspection and pre plan visits. No other agencies provided any comment or expressed any concerns with the application.

The Province has indicated that any motion provided by a Regional District must come from its entire Board and not a land use planning committee unless otherwise delegated. Therefore this application is now before the Committee of a Whole for consideration and not the EASC.

Public Consultation Implications

As part of the required public notification process for the PM, pursuant to Board Policy B1.24, a PM was held on April 16, 2019 with sixteen members of the public in attendance. To notify the public of the PM, the applicant is required to post a notice on the subject parcel advertising the date, time and location of the PM and that the property is subject to a NMC retail store licence application. The RDN is required to advertise the PM in two editions of the local newspaper. A notice of application sign was posted on the property on April 5, 2019 and notice was published in the April 9, 2019 and April 11, 2019 editions of the Parksville Qualicum Beach News.

Additionally, property owners and tenants located within a 300.0 metre radius received a direct notice of the PM for the NMC retail store licence application. As part of the public notification process, three responses were received prior to the PM. Of the three responses, two were in opposition and one stated no objection (see Attachment 7 – Public Submissions and Comments). The applicant has satisfied all public notification requirements as set out in Board Policy B1.24.

“Board Policy B1.24 - *Non-Medical Cannabis Retail Store Licence Applications*” outlines the process employed by the RDN in the review and processing of requests for local government resolutions for NMC retail store licence applications. The public consultation component of Board Policy B1.24 requires a Public Meeting (PM), public notice sign on the property, mail out notice to adjacent property owners within 300.0 metres and advertisements in two editions of

the local newspaper. All of the notification requirements were satisfied and a PM took place March 26, 2019 (see Attachment 4 – Summary of Public Meeting).

At the PM, concerns were raised by members of the community surrounding traffic and access to the store off of the Alberni Highway, security, safety and street lighting.

The proposed store is accessed by both Van Horne Road and Jones Road. Access is provided to both Van Horne Road and Jones Road by the Alberni Highway. Access onto Van Horne Road from the Alberni Highway is to the east of the property and is facilitated by an existing left turn lane and deceleration lane. Access onto Jones Road from the Alberni Highway currently has no left turn lane or deceleration lane. The Ministry of Transportation and Infrastructure (MOTI) have jurisdiction over roads and were sent a referral of the licence application for comment. The response from MOTI stated no objection to the proposed NMC retail store and raised no concerns over the impacts on traffic or access that the proposed store may have.

Access concerns off of the Alberni Highway onto Jones Road is a broader issue as this applies to patrons of all businesses on Jones and Van Horne Roads, not just those who will be visiting the NMC retail store. Should this be deemed a significant concern the RDN could request MOTI to either upgrade the intersection or prohibit left turns from Highway 4 to mitigate potential traffic concerns. Many of the existing parcels on Jones and Rinvold Roads are currently being used for residential use but are zoned for commercial/industrial use resulting in increased traffic as those lots are developed for commercial and industrial uses.

Security concerns were raised citing that the store may cause increased crime in the area from attempted theft of the store's product or clientele consuming cannabis and driving impaired. NMC retail stores are required by the LCRB to have stringent security systems and measures in place to deter any type of attempted theft and driving under the influence is illegal and enforced by the RCMP.

Concerns surrounding the influence this store may have on the safety of children who frequent the area were raised. The LCRB has strict rules surrounding store signage to prevent youth being attracted and no one under the age of 19 is permitted to enter a NMC retail store.

Concerns were raised about customers of the store consuming the product in nearby neighbourhoods and increased traffic issues as there is a lack of street lighting in the area surrounding the store. The proposed store hours are 11:00 am to 6:00 pm which will be during daylight hours for the majority of the year. To address the concerns raised by the public, additional street lights on Jones Road and Rinvold Road could be provided through the establishment of a local service area.

Concerns identified at the May 14, 2019 EASC meeting included the location of a nearby school bus stop in relation to the proposed store, concerns raised from neighbouring residents, existing illegal dispensaries in the area and that the area is residential in nature. To address the concerns from neighbouring residents, the applicant has submitted a petition in support of the proposed NMC retail store containing 50 signatures from residents of the area. The majority of the signatures are within close proximity to the store, 25 of which fall within the 300.0 metre public notification radius.

Zoning concerns that the area is residential were raised. The area is designated as a village centre and surrounding properties are also zoned commercial and a large number of

commercial and industrial uses are currently permitted. In the Hilliers Village Centre existing uses are varied and include multi-residential and manufactured homes, large lot single residential, retail and highway commercial services, manufacturing and food production. As is typical in the nodes in Electoral Area F, there is a wide variety of developed uses that reflect the lack of historic zoning regulations. The proposed NMC retail store reflects the OCP policy and zoning for the area.

The bus stop located in the vicinity of the proposed store is operated by School District 69 who were sent a referral of this application and did not express any concerns regarding the location of the existing bus stop in relation to the proposed NMC retail store. Furthermore, through the licensing process, the Province also implements strict parameters around advertisement and signage of these stores to prevent influencing and attracting youth.

Illegal dispensaries exist in the area and throughout the region. The RCMP have created a task force to close any dispensary that is operating without a valid licence issued by the Province. Staff have passed on concerns regarding these dispensaries to ensure the task force is aware of resident concerns in the area.

Following the EASC Meeting, additional public consultation was undertaken by the applicant to address concerns. The applicant visited neighbouring residents to provide information on their concerns, engaged to get feedback and asked to sign a petition of support. In response to this outreach, the applicant has provided a petition containing 50 signatures of support from nearby residents in close proximity to the store which is attached for Board consideration (see Attachment 8 – Petition of Support).

ALTERNATIVES

1. To approve the attached resolution in support of the application.
2. To provide a resolution that does not support the application.

FINANCIAL IMPLICATIONS

The proposed development has no implications related to the Board 2019 – 2023 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

The application has been reviewed and the proposal supports the Board's 2016-2020 Strategic Plan, specifically the Strategic Priority to Focus on Economic Health by supporting business to foster economic development.



Nick Redpath
nredpath@rdn.bc.ca
June 5, 2019

Reviewed by:

- P. Thompson, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. Resolution for Coombs Classy Grass Inc. Non-Medical Cannabis Retail Store Licence
3. Proposed Site Plan
4. Summary Report of Public Meeting
5. Community Impact Statement
6. Zoning Map
7. Public Submissions and Comments
8. Petition of Support

Attachment 1
Subject Property Map



Attachment 2
Resolution for Coombs Classy Grass Inc. Non-Medical Cannabis Retail Store Licence

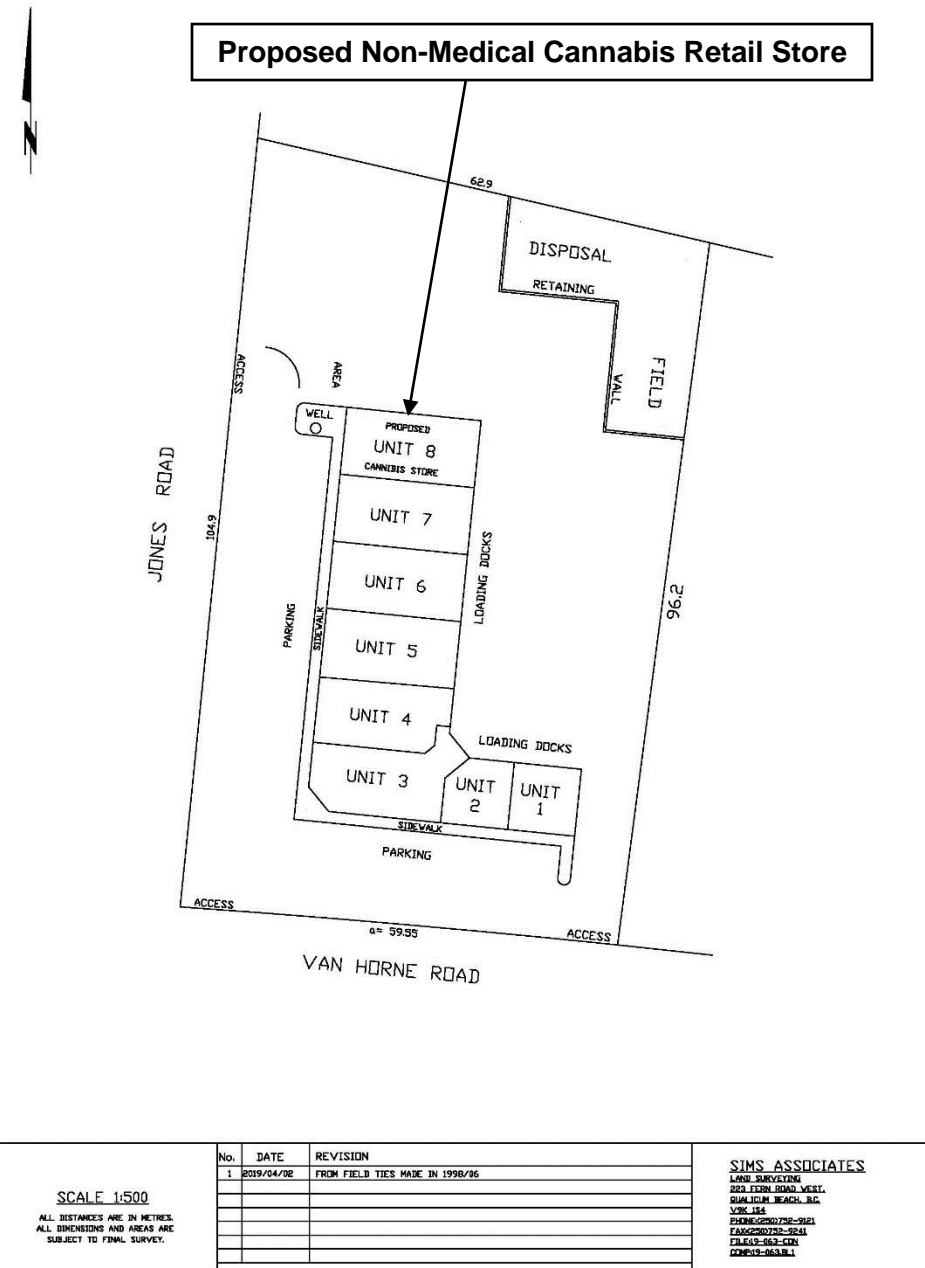
Be it resolved that:

1. The Board of the Regional District of Nanaimo recommends the endorsement of the non-medical cannabis retail store licence application referral from the Liquor and Cannabis Regulation Branch for Coombs Classy Grass Inc.
2. The Board's comments on the prescribed considerations are as follows:
 - a. Community Impact – The proposed non-medical cannabis (NMC) retail store is within the Commercial 3 Zone of Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002, which includes 'Retail Store' as a permitted principal use. Uses directly adjacent to the property are commercially zoned with the exception of a mobile home park to the north east. Uses within the existing building are all commercial in nature and the proposed retail store should not pose any potential impacts to surrounding land uses. Regional District of Nanaimo (RDN) Board Policy B1.24 - *Non-Medical Cannabis Retail Store Licence Applications* establishes a separation distance of 300.0 metres between the proposed NMC retail store and any existing licensed NMC retail stores and sensitive uses, including schools, playgrounds, community centres and daycares, which are in operation at the time the application is made. The proposed NMC retail store meets all of the 300.0 metre separation requirements. Concerns were raised by members of the community surrounding traffic and access to the store off of the Alberni Highway, security, safety and street lighting. The proposed licence application is consistent with Board Policy B1.24 and zoning requirements for NMC retail stores and community concerns have been noted; therefore, if approved by the LCRB, the proposed NMC retail store is not anticipated to have any negative community impacts.
 - b. Public Notification – A Public Meeting (PM) to discuss the proposed NMC retail store licence application was held on April 16, 2019. Sixteen members of the public attended the PM. Concerns expressed by residents in attendance included traffic and access to the store off of the Alberni Highway, security, safety and street lighting (see Attachment 4 – Summary of the Public Meeting). As part of the required public notification process for the PM, pursuant to Board Policy B1.24, the applicant posted a notice of application sign on the subject parcel on April 5, 2019 advertising the date, time and location of the PM and that the property is subject to a NMC retail store licence application. The RDN is required to advertise the PM in two editions of the local newspaper and a notice was published in the April 9, 2019 and April 11, 2019 editions of the Parksville Qualicum Beach News. Additionally, property owners and tenants located within a 300.0 metre radius of the subject property received a direct notice of the PM for the NMC retail store licence application. As part of the public notification process, three responses were received prior to the PM. Of the three responses, two were

in opposition and one stated no objection (see Attachment 7 – Public Notification Responses). The applicant undertook additional public consultation by visiting residents in the surrounding community to provide information on their concerns, engaged to get feedback and asked to sign a petition in support of the proposed store, receiving 50 signatures in total, the majority of which being in close proximity to the propose store (see Attachment 8 – Petition of Support). All public notification requirements within Board Policy B1.24 have been completed and community concerns raised through the public notification process have been noted.

Attachment 3 Proposed Site Plan

SITE PLAN OF LOT 6, PLAN 22313,
D.L. 7, CAMERON DISTRICT,
TO ACCOMPANY PUBLIC MEETING.
LEGEND



Attachment 4
Summary of the Public Meeting (Page 1 of 3)

Held at the Arrowsmith Hall
1014 Ford Road, Coombs
Tuesday, April 16, 2019, at 6:00 pm
Non-Medical Cannabis Retail Store Licence Application No. PL2019-043

Note: This summary of the meeting is not a verbatim recording of the proceedings, but is intended to summarize the comments and questions of those in attendance at the Public Meeting.

There were 16 members of the public in attendance at this meeting.

Present for the Regional District of Nanaimo:

Alternate Director Julian Fell, Electoral Area F (the Chair)
Paul Thompson, Manager of Current Planning
Nick Redpath, Planner

Present for the Applicant:

Helen Sims, Sims Associates
Rachel Hamling, Sims Associates
James Wright, Applicant
Nicole Richard, Applicant

The Chair opened the meeting at 6:00 pm, outlined the evening's agenda, and introduced the RDN staff and the applicants in attendance. The Chair then stated the purpose of the Public Meeting and asked RDN staff to provide background information concerning the development application.

Nick Redpath, Planner, provided a brief summary of the proposed non-medical cannabis retail store licence application, supporting documents provided by the applicant, and the application process.

The Chair invited the applicant to give a presentation of the development proposal.

Rachel Hamling of Sims Associates presented an overview of the proposal.

Nicole Richard, Applicant, provided a summary of the process to date and what the Provincial application process entailed and an overview of the security/criminal record checks and building requirements necessary to attain a licence.

Following the presentation, the Chair invited questions and comments from the audience.

Glen Drage, 3073 Rinvold Road, raised concerns about the proposed stores location being in close proximity to a school bus stop and people purchasing the cannabis and smoking it outside of the store.

Attachment 4
Summary of the Public Meeting (Page 2 of 3)

Nick Redpath, Planner, responded that Board Policy B1.24 had separation distances of 300.0 metres from schools and that the provincial building standards for these stores were required to be discreet as to not attract or influence youth.

James Wright, Applicant, stated that he would be providing a safe product and that you are not permitted to smoke the product in front of the store.

Oliver Fisher, 3253 Melon Road, stated that he has lived in the area for a long time and taken the bus that stops in front of this area and does not think the advertisement or existence of the store will influence people.

Daniel Durocher, 3090 Rinvold Road, stated he has been in the area for a long time and had concerns about customers smoking the product right away and driving impaired. He felt that it would also cause traffic issues due to visitors and will not benefit residents in the area and felt the store would be better located in Qualicum and not in a rural area as it would be closer to services. Mr. Durocher also raised concerns about the lack of street lighting in the area and that the response time for police to arrive would be too long at this rural location.

Sarah Oliver, 3253 Melon Road, stated that she was in support of the store and commended the applicant's for going through the proper processes. She also noted that cannabis is legal now and we have to accept it and it is up to the RCMP to enforce illegal behavior and that alcohol is more of a concern.

Glen Drage, 3073 Rinvold Road, asked what will happen to the existing illegal dispensaries.

Nick Redpath, Planner, stated that the RCMP had created a task force to shut down illegal dispensaries but the timeline for this is unknown.

Daniel Durocher, 3090 Rinvold Road, asked how many of these applications the RDN had received.

Nick Redpath, Planner, stated that this was the second licence referral that the RDN had received and that a public meeting for another proposed retail store in Coombs had taken place the previous month.

Daniel Durocher, 3090 Rinvold Road, expressed concern about customers staying in the neighbourhood and smoking cannabis.

James Wright, Applicant, explained that the store will only be open until 6 PM and did not expect that customers would idle in the neighbourhood to consume the product as it is illegal to smoke in a vehicle.

Daniel Durocher, 3090 Rinvold Road, stated that he is against the proposed location of the store as there are no street lights, it will cause traffic issues, it is too close to school bus stops and it will disrupt the neighbourhood. He stated that it should be in a different location in a more populated area.

Attachment 4
Summary of the Public Meeting (Page 3 of 3)

Rachel Sims, Agent, noted that it is difficult to plan stores around bus stops as they are all over and always changing.

David Fisher, 3253 Melon Road, stated that he is in support of the proposed store and that the building was safe, secure and appropriately zoned for the proposed use.

Daniel Durocher, 3090 Rinvold Road, asked what happens if the alarm goes off and expressed concerns with theft.

James Wright, Applicant, explained that a top of the line security system will be installed and that the provincial security requirements were very stringent.

Jack Smith, 110-3105 Rinvold Road, expressed concerns with Jones Road as there is no left turn here and that turning off the highway to go to the store would cause issues as there is no proper turn lane and feels there is a lack of street lighting that needs to be addressed.

The Chair asked if there were any further questions or comments.

Being none, the Chair thanked those in attendance and announced that the Public Meeting was closed.

The meeting was concluded at 6:40 pm.



Nick Redpath
Recording Secretary

Attachment 5
Community Impact Statement (Page 1 of 4)

March 15, 2019

#8 - 3125 Van Horne Rd
Qualicum Beach, BC
V9K 2R3

RE: RDN File No: PL2019-043 Liquor/Cannabis Application Form

Community Impact Statement:

- i) The location of the Non-Medical Cannabis Retail Store (NMCRS) is: #8 - 3125 Van Horne Rd, Qualicum Beach, BC.
- ii) There are no existing NMCRS in operation at this time. In accordance with RDN Policy B1.24, there are no schools, playgrounds, community centres or daycares in operation within 300 metres.
- iii) The store unit is 1800 ft² (167 m²), with anticipated store hours of 11:00am to 6:00pm, 7 days per week.
- iv) There is one liquor primary establishment within a 10km radius.
- v) Traffic is constant along the highway with increased volume during summer months due to tourism. The building is located on the corner of Van Horne Road and Jones Road with safe and convenient access and egress from both roads. There are 34 paved parking spots along the building store fronts and parking is also available along the side streets, if required.
- vi) The Official Community Plan and zoning for this location allows for 'retail store' as a permitted use. This is reflected in the RDN NMCRS Licence Application Policy B1.24. Zoning for this building is Commercial 3 (C-3).

Attachment 5
Community Impact Statement (Page 2 of 4)

- vii) With respect to population, density, and trends in the surrounding community, the Whiskey Creek/Hilliers area primarily consists of rural residential and commercial properties. Although, the population of Whiskey Creek/Hilliers area is not recorded, due to the rural setting, the population is relatively low. This location is the next up and coming area for commercial and residential development. It is the gateway to and the west coast. There are several illegal cannabis locations that have been operating prior to cannabis legalisation and continue to operate without government approval and licencing.
- viii) Relevant socio-economic information:
 - a. A new business will increase employment in the area as two to four employees will be needed to operate the retail outlet, which is expected to increase as business grows.
 - b. A NMCRS will increase traffic to the area. This will be of benefit to other businesses in the area due to the increased volume of consumers.
 - c. The taxes collected from the sale of non-medical cannabis will contribute to local government funding, economy and community.
- ix) Referral responses and comments received through public notification have not been received at this time as the Public Meeting is in the process of being scheduled. We look forward to comments from the community.
- x) The impact on the community if the application is approved:
 - a. This is a government regulated industry which means that the products sold in a legal facility have been through stringent screening and controlled processes which is important from a Health and Safety aspect, and reduces liability for the vendor.

Attachment 5
Community Impact Statement (Page 3 of 4)

- b. A legal dispensary must adhere to the strict security guidelines, whereas illegal dispensaries are not controlled nor screened and, therefore, the potential health risk to consumers is increased.
- c. A legalized dispensary prohibits minors from entering and/or purchasing product, therefore making it difficult for minors to obtain access to cannabis product. It is mandatory that government ID is required to show proof of age.
- d. The proposed location is in a predominantly rural area. The location may deter minors from accessing the NMCRS.
- e. This NMCRS will not make medical claims, meaning any medical claims regarding products must be left to medical professionals and licenced medical distribution facilities. Health Canada provides cannabis products for medical use directly from their distribution network. Patients who use products for medical purposes purchase cannabis through medically licenced facilities, which allows patients to acquire cannabis products related to their specific health concerns.
- f. Government regulated products have a Certificate of Authenticity (COA) itemizing the ingredients and the percentage of THC in every product sold. Illegal dispensaries do not adhere to any standards. Products sold illegally are completely unregulated, posing a risk to the consumer and a liability to the establishment. Illegal dispensaries, in essence, are laundering money and illegally distributing a controlled substance and other contraband products, such as, shatters, extracts, and edibles.
- g. Taxes have been synced up for medical and recreational cannabis and, in so doing, will discourage recreational users from abusing the medical system.

Attachment 5
Community Impact Statement (Page 4 of 4)

- h. There is a very strict set of requirements and guidelines that have to be followed through the application process with the Liquor and Cannabis Regulation Branch this process will eliminate those who are not equipped or prepared to follow the guidelines, adhere to the rules, and unable to pass the security screening processes. Prior to approval of a NMCRS Licence, the facility is required to pass a comprehensive inspection.

For example:

1. There must be ample security in place via cameras which cover all areas of the store.
 2. Cannabis product must be stored in a secured location.
 3. There can be no product directly accessible to the public – Product must be behind counters or in locked display cases.
 4. The facility must be clean.
 5. Windows and doors must be tinted so that products cannot be seen through the glass.
 6. Cannabis products and paraphernalia can only be purchased from government approved distribution facilities.
 7. A licence will only be granted to the owners of a NMCRS when they pass a thorough security screening.
- i. Negative impacts on the community could potentially be that increased taxes may drive users to the black market and illegal dispensaries. The tax dollars earned through legal NMCRS puts funds back into the community which is positive for the economy in general.
- This NMCRS will impact other business in applying for a NMCRS licence within a 300 meter radius. However, this radius is dictated through current RDN Policy.

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Subject Property lot6 dis lot 7
Camron district, plan 22313

This is from a concerned citizen in the area of Hillers. I have grandchildren and children in the area and I feel that non-medical marijuana would be a serious issue to have in our neighborhood for one reason it's very close to the school around the corner. Second reason, kids out in the country are far more impressionable and influenced being so far out of town they get bored and then they get interested in these things. There used to be a situation where kids would go to the neighbours 35 years ago where the dinosaurs are that wasn't good. Third reason is since the dispensary on the highway moved in there's been an influx of very questionable people in the neighbourhood as well as drug paraphernalia found in front of neighbours' homes at the corner as well such as needles being found. I walk my dog and have seen this first hand. I think this would be a problem for families including mine in the area and especially being so close to Morning Glory school where my children attend. I believe there's a family right across the road even of very young people that are known that started a group on Facebook for crime watch since they had been broken into and are worried. Lastly, this is not a very good access from the highway and is very dangerous it would be a lot more dangerous with non-medical high potency. The thing that you all are missing is that it does cause mental illness, anxiety and a host of other issues, most have seen this first hand living it this area since the 70's. I think this is crazy in itself. For medical reasons great but this has gone too far. Wrong neighbourhood and an unsafe spot. Please find somewhere else, thank you for reading. If you want people that are busy trying hard to make ends meet the taxes are very high to voice their concerns have a way for them to do it online or anonymously. I am too tired to go to a meeting to embarrass myself and have people mad at me. I hear no one goes to these meetings for that reason. We need a better system so I can vote online. Like the pipeline or other things that people to help decide make it convenient and you will find the truth people don't want to get involved or have their lives disrupted.

Very concerned citizen

Attachment 7
Public Submissions and Comments (Page 2 of 3)

From: [Hamilton, Karen](#) on behalf of [Planning Email](#)
To: [Redpath, Nicholas](#)
Subject: FW: cannabis store license 3125 van horne, hilliers
Date: Monday, April 08, 2019 2:42:52 PM

fyi

From: Andy Rigg [REDACTED]
Sent: Monday, April 08, 2019 1:09 PM
To: Planning Email
Subject: cannabis store license 3125 van horne, hilliers
I will not attend meeting
I have no objection.
Alex Rigg
3054 rinvold
hilliers

Attachment 7
Public Submissions and Comments (Page 3 of 3)

From: [Planning Email](#)
To: [Redpath, Nicholas](#)
Subject: FW: non-medical cannabis on Van Horne Road application
Date: Monday, April 15, 2019 11:03:45 AM
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.png](#)

Samantha Syme

Board of Variance Secretary, Strategic & Community Development

Regional District of Nanaimo

6300 Hammond Bay Road

Nanaimo, BC V9T 6N2

T: (250) 390-6564 | Email: ssyme@rdn.bc.ca

RDN



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From: Ryan K. [REDACTED]
Sent: Monday, April 15, 2019 8:44 AM
To: Planning Email
Subject: non-medical cannabis on Van Horne Road application

This email is in regards to the application for a non-medical cannabis retail store licence for a Van Horne Road. I do not believe this should proceed as there is currently a cannabis store less than a block away (on highway 4) from this proposed location.

Ryan Kyle

Sent from [Outlook](#)

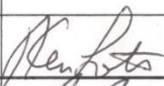


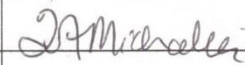
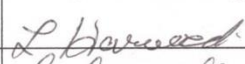

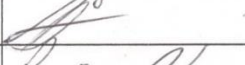
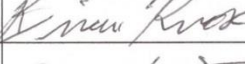

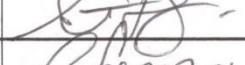
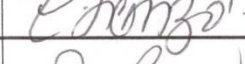

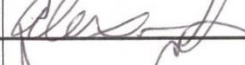
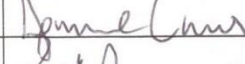
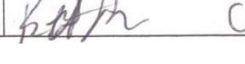
Attachment 8
Petition of Support (Page 1 of 5)

Petition to the Regional District of Nanaimo, Board of Directors

WE, THE UNDERSIGNED, HEREBY PETITION the Regional District of Nanaimo, Board of Directors to adopt the resolution **supporting** Non-Medical Cannabis Retail Store Licence Application No. PL2019-043, located at #8 – 3125 Van Horne Road in Area F.

WE STATE OR BELIEVE:

1. That the petitioners are residents of Area F in the Regional District of Nanaimo.
2. That product sold in a licenced, Non-Medical Cannabis Retail Store is purchased solely from government approved suppliers through the Liquor & Cannabis Regulation Branch.
3. That the cannabis products being sold have been quality tested to ensure they are not laced with any illicit drugs, are safe for human consumption, sold in sealed packages and are traceable from the point of sale all the way back to the facility where it was grown.
4. That the premises will be securely monitored running 24-hour surveillance.
5. That a licenced, legally operated, Non-Medical Cannabis Retail Store, if adopted, could potentially save lives, make it more difficult for minors to obtain illegal and unsafe cannabis, and would drive out any illegally operating dispensaries in the area.

#	SIGNATURE	NAME	LEGAL ADDRESS	DATE
		Ken Lott	3073 Van Horne Road	May 22/2019
		Bill Bokstrom	1005 Hawman Road	May 22, 2019
		Brandie Wark	34567 Gertrude	May 22/2019
		Frankie Michalak	102 3102 Rinvold Rd	May 22/2019
		LIZA HARWOOD	107-3125 RINVOLD RD	MAY 22/19
		Evelyn Olonick	3-3100 Rinvold Rd	May 22/19
		Stewart Corrigan	#4-3100 Rinvold Rd	May 22/19
		Brian Knox	#3-3100 Rinvold Rd	May 22/19
		Bev Merriman	#5-3100 RINVOLD RD	May 22/19
		Steve Dougan	9-3100 Rinvold Rd	May 22/19
		Corinna Leonzio	10-3100 Rinvold Rd	May 22/19
		JACQUELYN ROSS	12-3100 Rinvold Rd	" 22/19
		Alex Grier	3100 #17 Rinvold Rd	May 22/19
		Joanne Cambly	3100 #18 Rinvold	May 22/19
		RICK MENZIES	3097 VAN HORNE	MAY 22/19

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Petition of Support (Page 2 of 5)

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#	SIGNATURE	NAME	LEGAL ADDRESS	DATE
		A. COULTER	3091 VAN HORNE RD	05/22/19
		M. CRADDOCK	#1 1278 OCOA AVE	05/22/19
		Cynthia Lott	3073 Van Horne Rd	5/22/19
		N. MICHAELS	3115 Rn wold	5/22/19
		Jim Werdal	3061 Rn wold Rd	05/22/19
		Joe Pallen	1949 Swayne	05/22/19
		Randall Brown	1280 winningway	05/22/19
		1313 CHATSWORTH	1313 CHATSWORTH	05/23/19
		Justin Townsend	1317 Brooklyn Lane	05/23/19
		STEWART DENNEY	1115 STATION RD	05/23/19
		KRISTIE TOOMBS	347 PARK VIEW PL	05/23/19
		Katlin Toombs	3027 Van hornerd	05/23/19
		Duncan Coombs	3027 Van hornerd	05/23/19
		Darren Coombs	3027 Van hornerd	05/23/19
		CHRISTINE Bales	450 PRATT RD	05/23/19

[illegible]


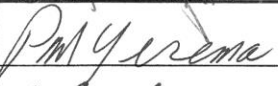
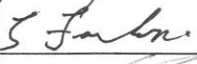






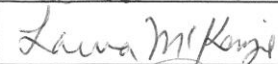




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#	SIGNATURE	NAME	LEGAL ADDRESS	DATE
		Bill Preston	3243 Melon Rd.	May 22/19
		PAT Jeremina	Box 669 Coombs	" 23/19
		TOM FARKAS	5520 ALBANY HWY	" "
		eamon STINSON	1745 PRATT RD	MAY 24/19
		LAUREN STINSON	1745 PRATT RD	MAY 23/19
		Lynn Boyle	3055 RING RD	MAY 23/19
		Cat MacIsaac	3-3125 Van Horne	May 23/19
		JOANNA WELBOURN	3670 Gellert Rd	May 23/19
		Laura M'Kenzie	2100 Parkway Pl.	May 23/19
		Amy Newson	#3-3125 Van Horne Rd	May 23/19
		Adam Jenkinson	#8-3117 Van Horne	MAY 23/19
		Dave Semple	#6 3100 Rinvold	May 23
		Darren Caldwell	3046 Rinvold Rd QB	May 23/19
		Brooke Bennett	3131 Rinvold Rd QB	June 6/19

[illegible]