



PUBLIC HEARING MINUTES

MINUTES OF THE PUBLIC HEARING
HELD AT THE CITY OF WEST KELOWNA COUNCIL CHAMBERS,
2760 CAMERON ROAD, WEST KELOWNA, BC
TUESDAY, NOVEMBER 26, 2019

MEMBERS PRESENT: Mayor Gord Milsom
Councillor Rick de Jong
Councillor Doug Findlater
Councillor Jason Friesen
Councillor Stephen Johnson
Councillor Jayson Zilkie

Member Absent: Councillor Carol Zanon

Staff Present: Paul Gipps, CAO
Warren Everton, Director of Finance/CFO
Allen Fillion, Director of Engineering and Public Works
Jason Brolund, Fire Chief
Rob Hillis, Engineering Manager
Shelley Schnitzler, Legislative Services Manager
Dallas Clowes, Senior Planner
Brandon Mayne, Help Desk Assistant

1. CALL THE PUBLIC HEARING TO ORDER:

The Public Hearing was called to order at 6:00 p.m.

It was acknowledged that this meeting was held on the traditional territory of the Syilx/Okanagan Peoples.

2. INTRODUCTION OF LATE ITEMS:

2.1 Letters received from the following:

- George Jarycki
- Joan Taylor
- Donna Rosa
- Nancy Majetich
- Matt Dober, Flora Cannabis

3. ADOPTION OF AGENDA:

It was moved and seconded that the agenda be adopted as amended. The motion carried unanimously.

4. **OPENING STATEMENT:**

The Mayor read the Public Hearing Opening Statement, advising that the Public Hearing has been advertised, is open to the public and webcast live, and outlined the process for the hearing.

5. **PUBLIC HEARING:**

The Mayor explained the process of this public hearing being held pursuant to Division 3, Part 14 of the *Local Government Act* for the purpose of hearing representation from those persons who believe their interests may be affected by Zoning Amendment Bylaw No. 0154.85.

The Mayor noted that binders have been available for inspection which includes any written comments received to date for the application and that Notice of the Public Hearing was duly advertised in accordance with the requirements of the *Local Government Act*.

5.1 Z 19-11, Zoning Amendment Bylaw No. 154.85, 2475 Dobbin Road

The Senior Planner introduced Zoning Amendment Bylaw No. 0154.85, to change the Zoning from C1 – Urban Centre Commercial to Site-specific text amendment to C1 zone to permit a non-medical cannabis retail store

The Mayor asked if the owner/agent wished to address Council regarding this application.

Kerri Lore, Director of Policy, Liquor Distribution Branch

- There are currently 8 cannabis retail stores operating in the Province with more opening in coming months;
- Purpose is to make high quality cannabis products and provide education for adult consumers;
- Social responsibility to educate customers to keep cannabis away from youth; know the limit; start low, go slow; don't drive high;
- There will be two identification checks at the door; unlike liquor stores, minors are not permitted in BC cannabis stores;
- Environmental initiatives – the store will be utilizing paper instead of plastic bags;
- A contribution of funds will go back to the Province for services such as health care and education;
- Focus on information and to educate consumers about the plant;
- Safety and security is their top priority;
- There will be an intruder and fire alarm system, interior and exterior cameras, secure storage of cannabis, and smash resistant windows;
- It is a reputable place to work; recognized as one of BC's top employers;
- The West Kelowna store will employ 20 staff (1 store manager, 2 assistant managers, and the remaining will be full and part-time staff);
- All employees will go through enhanced security screening;
- All employees will go through comprehensive product knowledge training;

- There will be monitored vestibule area with cameras;
- There will be no product on the store floor; product samples are in the bud display pods for consumers to look at and smell;
- All product is secured safely in locked glass cases; most of the product is in a locked vault with a minimal amount of product locked behind the counter;
- Proposed hours will be 10:00 am to 10:00 pm;
- The total area of the store is 7100 square feet; approximately 3500 square feet will be used for retail; the remaining area is for a regional manager office, boardroom meetings, and a training centre for staff.

The Mayor asked a first time if there were any members of the public who wished to address Council regarding this file.

Matt Dober, President, Flora Cannabis

- This application will have a negative effect on his business;
- Why change the Policy now?
- Only months ago, Council adopted a Policy to allow 5 candidates to make a case for the West Kelowna market;
- The 5 store cap on cannabis retail stores will allow the City to evaluate how the market responds;
- The successful applicants went through a rigorous process in order to be selected by Council;
- Council heard citizen concerns about impacts from cannabis retail stores and established a Policy to start with only a certain number of stores;
- The Policy needs to prove itself; there are no stores open yet;
- The approved cannabis retail outlets have not been afforded an opportunity to test the market;
- Abandoning the Policy would be unfair to prior applicants as those rejected were due to having a cap on the number of cannabis outlets;
- Every applicant was required to secure leases, to build a business plan, raise capital, etc.
- Five applicants lost out on approval by Council, ultimately because there was cap on the number of outlets;
- The Province had an opportunity to be part of the initial intake process; however, they could not secure a location;
- A significant premium was paid to secure a location to be considered in the intake process;
- Encourage Council to stand behind the Policy and allow fairness in the process to have an opportunity to see how retail cannabis unfolds.

Peter Arrowsmith

- Lives directly behind the proposed dispensary;
- Concern with the bylaw limiting distances between properties (such as schools, parks, etc.), however private residences are only to be considered;
- There is no set distance for putting a dispensary in a residential area;
- His property is within 10 metres of the proposed unit (right across the street);

- There are already drug issues downtown;
- There is no regulatory basis for distance between private residences and dispensaries;
- Concern with noise levels, increased traffic, and the criminal element.

Janet Riley

- Concern that if this proposal will not negatively impact shopping in the mall, why will there be security cameras on the sidewalk and inside the building, secondary search areas, and pods that are attached to the counters;
- Concern with who will be frequenting the store and the safety of mall users.

The Mayor asked a first time if there were any members of the public who wished to address Council regarding this file. There were no comments from the public.

The Mayor asked a second time if there were any members of the public who wished to address Council regarding this file. There were no comments from the public.

The Mayor asked a third and final time if there were any members of the public who wished to address Council regarding this application. There were no comments from the public.

The Mayor declared the public hearing closed at 6:36 p.m. and Council cannot accept any further information regarding this application.

6. Termination of Public Hearing

The Public Hearing terminated at 6:36 p.m.

MAYOR

I hereby certify this to be a fair and accurate summary of the nature of the representations made by the public at the Public Hearing with regard to Zoning Amendment Bylaw No. 0154.85, held on November 26, 2019.

Legislative Services Manager