



## PUBLIC HEARING MINUTES

MINUTES OF THE PUBLIC HEARING  
HELD AT THE CITY OF WEST KELOWNA COUNCIL CHAMBERS,  
2760 CAMERON ROAD, WEST KELOWNA, BC  
TUESDAY, MAY 14, 2019

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**MEMBERS PRESENT:**

Mayor Gord Milsom  
Councillor Rick de Jong  
Councillor Doug Findlater  
Councillor Jason Friesen  
Councillor Stephen Johnson  
Councillor Carol Zanon  
Councillor Jayson Zilkie

**Staff Present:**

Jim Zaffino, CAO  
Tracey Batten, Deputy CAO  
Nancy Henderson, GM of Development Services  
Brent Magnan, Planning Manager  
Shelley Schnitzler, Legislative Services Manager  
Brandon Mayne, Help Desk Assistant  
Chris Oliver, Planner III

**1. CALL THE PUBLIC HEARING TO ORDER:**

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

**2. INTRODUCTION OF LATE ITEMS:**

2.1 Re: Item 4.1, Z 19-06, 14 – 2528 Main Street  
Letter received from Michael Plumpton

2.2 Re: Item 4.5, Z 19-10, 1192 Industrial Road  
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**3. ADOPTION OF AGENDA:**

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

**4. 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 the following bylaws:

- Zoning Amendment Bylaw No. 0154.77
- Zoning Amendment Bylaw No. 0154.78
- Zoning Amendment Bylaw No. 0154.79
- Zoning Amendment Bylaw No. 0154.80
- Zoning Amendment Bylaw No. 0154.81
- Zoning Amendment Bylaw No. 0154.82

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

#### 4.1 Z 19-06, 14-2528 Main Street

The Planner introduced Zoning Amendment Bylaw No. 0154.77, to permit a non-medical cannabis retail store at 14-2528 Main Street, and to provide the public consultation component for the Liquor and Cannabis Regulation Branch licensing process.

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

##### Rob Anderson

- Has owned and operated restaurants for several years;
- Familiar with liquor control licensing regulations and Branch;
- Is a local resident;
- Previously owned a restaurant in Kelowna;
- Has inventory ordering management and auditing systems (for restaurants and liquor) experience;
- Work with Cannabis Compliance Inc.
- Regarding illicit drugs, needles, etc. previously the property was empty; along with adjoining properties and this business, this site will be more secure;
- There will be 4 exterior cameras;
- Will ensure there is no loitering and that the area is secure;
- Will ensure there will be no illicit drugs;
- Having a business on the subject property will clean up the area;
- Has applied for maximum operating hours; may refine hours as business dictates.

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

##### Dr. Corrina Lampen, Sensei Laser and Vein

- Cameras don't make a difference;
- Her business has been broken into;
- Concern with opening a cannabis business in an area that supports homeless people;
- There are already drug issues;

- There is no support from RCMP;
- Questioning, why a cannabis business should open in the vicinity, without support;
- The proposed location is central to where there is already homelessness and drug issues;
- Neighbouring businesses have also been broken into;
- There has been vandalism to her building within last 2 years;
- Questioning how local businesses are going to be supported;
- Consider that this may be contributing to the problem;
- Consider the location for the community and future businesses wanting to establish in West Kelowna.

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 application. 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 6:26 p.m. and Council cannot accept any further information regarding this application.

#### 4.2 Z 19-07, 3710 Hoskins Road

The Planner introduced Zoning Amendment Bylaw No. 0154.78, to permit a non-medical cannabis retail store at 3710 Hoskins Road, and to provide the public consultation component for the Liquor and Cannabis Regulation Branch licensing process.

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

##### Matt Dober, President of Flora Cannabis

- Flora Cannabis is owned by Argent Diversified;
- Owns West Coast Merchandising in West Kelowna;
- The subject location on Hoskins was carefully considered;
- Intend for this to be a high end store;
- Will only be using a portion of the subject property;
- The remainder of the leased property may be sub-leased in the future.

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 application. 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.

Dr. Corrina Lampen, Sensei Laser and Vein

- There are now genetic modifications to plant substances to increase potency;
- They are not the typical garden variety grown in back yards;
- They become stronger and have more serious complications.

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 application. 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 6:37 p.m. and Council cannot accept any further information regarding this application.

4.3 Z 19-08, 1 - 1812 Byland Road

The Planner introduced Zoning Amendment Bylaw No. 0154.79, to permit a non-medical cannabis retail store at 1 - 1812 Byland Road, and to provide the public consultation component for the Liquor and Cannabis Regulation Branch licensing process.

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

Hazel Christy, Christy & Associates and Chris Gayford

- With reference to the logo, the design has been submitted to the Provincial Government for review; there has been no comment from them;
- Mr. Gayford is willing to work with staff and the OCP guidelines regarding façade improvements;
- Is aware of the Sign Bylaw and will comply with all of Council's regulations on façade improvements;
- Façade design is a subjective consideration; there is room for discretion;
- The idea for the facade design came from seeing similar facades in Seattle;
- Has hired a company for the design; will work with them to improve branding and façade improvements; will work with them once the application has gone through the licensing process.

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 application. 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 6:59 p.m. and Council cannot accept any further information regarding this application.

#### 4.4 Z 19-09, 104 – 1195 Industrial Road

The Planner introduced Zoning Amendment Bylaw No. 0154.80, to permit a non-medical cannabis retail store at 104 – 1195 Industrial Road, and to provide the public consultation component for the Liquor and Cannabis Regulation Branch licensing process.

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

##### Michael Adams

- Spiritleaf is a franchise;
- Minors will not be permitted in the store;
- Will adhere to all laws regarding minors;
- No loitering or consumption will be permitted outside the store;
- Security – will have surveillance to keep staff and customers safe;
- Panic button will be located in the store;
- All products will be kept under lock and key;
- Staff will be educated and trained in Spiritleaf's safety plan;
- The business will be monitored by a security company 24/7;
- A security company will provide patrols after hours;
- Will follow all laws around sale and consumption of non-medical cannabis;
- Will ensure compliance with the Liquor and Cannabis Regulation Branch;
- Their Community Engagement Program provides sponsorships, donations and endowments to the community.

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 application. 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 7:09 p.m. and Council cannot accept any further information regarding this application.

#### 4.5 Z 19-10, 1192 Industrial Road

The Planner introduced Zoning Amendment Bylaw No. 0154.81, to permit a non-medical cannabis retail store at 1192 Industrial Road, and to provide the public consultation component for the Liquor and Cannabis Regulation Branch licensing process.

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

##### Natasha Raey on behalf of the Owner

- Has extensive background in healthcare, cannabis/media and real estate;
- Owns a multidisciplinary health centre in Toronto with 6 doctors, a pharmacy, Botox, meditation, etc.;
- Very familiar with medical and recreational cannabis use;
- The company's philosophy is community building, education, environmental consciousness, compassionate prices, social responsibility (will donate a portion of funds to Criminal Justice Reform), and sustainability;
- Focus on making stores easy to navigate and educate consumers;
- Safe and accessible space;
- The building frontage has large front windows which are covered to comply with provincial regulations; will be aesthetically pleasing and will prevent people from looking inside;
- Safety and security – will ensure adequate lighting in parking areas;
- Will post information and signs requesting patrons not disturb neighbours;
- Will be reviewing the outside façade design.

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 application. 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 7:21 p.m. and Council cannot accept any further information regarding this application.

#### 4.6 Z 19-02, 1449 Green Bay Road

The Planning Manager introduced Zoning Amendment Bylaw No. 0154.82, to amend the W2 Zone to allow 2 docks plus a swim platform (maximum 4 boat slips) to replace 2 existing docks of the same configuration, located at 1449 Green Bay Road.

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

Jordan Hettinga, Agent for the Owner

- This application is to rebuild what has been there for the past 40 plus years;
- Still need to get the license from FLNRO;
- Still need to get a Section 11;
- Could be another six months before construction.

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

Rob Anderson

- Is a neighbor on Green Bay Road;
- The proposed application is an excellent idea;
- Keeps children inside the two dock area; keeps them away from boats;
- Supports this application.

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 application. 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 7:34 p.m. and Council cannot accept any further information regarding this application.

5. Termination of Public Hearing

The Public Hearing terminated at 7:34 p.m.

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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 Bylaw No's. 0154.77, 0154.78, 0154.79, 0154.80, 0154.81, and 0154.82, held on May 14, 2019.

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Legislative Services Manager