

DISTRICT OF UCLUELET
MINUTES OF THE PUBLIC HEARING
HELD IN THE GEORGE FRASER ROOM, 500 MATTERSON DRIVE
Monday, September 9, 2019 at 6:00 PM

Present: **Chair:** Mayor Noël
 Council: Councillors Cole, Hoar, Kemps, and McEwen
 Staff: Mark Boysen, Chief Administrative Officer
 Bruce Greig, Manager of Community Planning
 John Towgood, Planner 1
 Joseph Rotenberg, Manager of Corporate Services
 Brent Ashton, Bylaw Officer

Regrets:

1. CALL TO ORDER

1.1 Mayor Noël called the public hearing to order at 6:00 PM.

2. ACKNOWLEDGEMENT OF FIRST NATIONS TERRITORY

Council acknowledged the Yuułu?ii?ath First Nations on whose traditional territories the District of Ucluelet operates.

3. LATE ITEMS

- 3.1 1. Addition to Agenda Item No. 8.4 **Written Submissions for Bylaw No. 1255, 2019**
- a. 2019-09-07 Kyle Cheyne Correspondence (The Applicant)
 - b. 2019-09-08 Kyle Cheyne Correspondence (The Applicant)

4. EXPLANATION OF PUBLIC HEARING PROCESS

4.1 Rules Governing Public Hearing

- 1. As provided for in the *Local Government Act*, the Council is required to hold a Public Hearing before adopting an Official Community Plan Bylaw, Zoning Bylaw or amendments thereto.
- 2. At a Public Hearing all persons who deem their interest in property affected by the proposed bylaws shall be afforded an opportunity to be heard, or to present written submissions, on matters contained in the bylaw.
- 3. The Council may give such effect, as it deems fit, to representations made at a Public Hearing, in the bylaws as adopted.
- 4. At a Public Hearing the Council is under no obligation to enter into a debate on any issue. The purpose of a hearing is to hear

public input, which will later be considered by the Council in their regular meeting.

5. Following the Public Hearing, Council will not accept further communications or presentations from the public or the applicant respecting this bylaw.

5. CANNABIS RETAIL SALES - GENERAL CONTEXT

5.1 Related Bylaws

Bylaw No. 1228, 2018

Bruce Greig, Manager of Community Planning, provided this presentation. Highlights included:

- Bylaw Numbers 1228, 2018, 1254, 2019, and 1255, 2019 as well as related materials are available for review in a binder located on the desk beside the Manager of Corporate Services.
- Bylaw No. 1228, 2019 requires site specific rezoning for recreational cannabis sales at a retail outlet in Ucluelet.
- The Liquor and Cannabis Regulation Branch (LCRB) will not issue a Non-Medical Cannabis Retail Store (CRS) licence without a positive recommendation from the local government.
- Highlighted cannabis related Federal and Provincial legislation.
- A third rezoning application for cannabis sales at 1685 Peninsula Rd. has been submitted but to date has not been referred to public hearing.
- Reviewed health concerns related to cannabis identified by subject matter experts.

5.2 Reports and Materials - Cannabis Retail Sales - General Context

R-1 April 24, 2018 Regular Council Report
R-2 May 22, 2018 Regular Council Report
R-3 June 12, 2018 Regular Council Report
R-4 July 9, 2019 Regular Council Report

5.3 Excerpts from Previous Council Meetings

E-1 April 24, 2018 Regular Minutes
E-2 May 22, 2018 Public Hearing Minutes
E-3 May 22, 2018 Regular Minutes
E-4 June 12, 2018 Regular Minutes
E-5 July 9, 2019 Regular Minutes

6. NOTICE OF PUBLIC HEARING

6.1 Notice

N-1 RZ18-05, Zoning Amendment Bylaws No. 1254 & 1255

**7. PUBLIC HEARING - DISTRICT OF UCUELET ZONING BYLAW
AMENDMENT BYLAWS NO. 1254, 2019 (1786 PENINSULA ROAD)**

Mayor Noël declared the Public Hearing for the District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1254, 2019 open at 6:15 PM.

7.1 Presentation of Bylaw No. 1254, 2019

Bruce Greig, Manager of Community Planning, presented an overview of the zoning bylaw amendment which in general terms is to amend the CS-2 Service Commercial regulations within Schedule B of the Ucluelet Zoning Bylaw No. 1160, 2013 to allow Cannabis Retail as an additional principle use on the property at 1786 Peninsula Road. Mr. Greig further explained the following:

- Bylaw No 1254, 2019 also contains a general text amendment which would limit the maximum gross floor area of any cannabis retail use within the CS-2 zone to a maximum of 93 meters square (1000 square feet).
- The Applicant has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) licence for 1786 Peninsula road with hours of operation between 9 AM and 11PM, seven days a week.
- The LCRB will not issue a CRS license without a positive recommendation from local government and this public hearing is an opportunity for the public to comment on the whether or not Council should provide a positive recommendation to the LCRB.

7.2 Reports and Materials for Bylaw No. 1254, 2019

R-1 July 9, 2019 Regular Council Report
R-2 August 13, 2019 Regular Council Report

7.3 Excerpts from Previous Council Meetings

E-1 August 13, 2019 Regular Minutes
E-2 July 9, 2019 Regular Minutes

7.4 Written Submissions for Bylaw No. 1254, 2019

- a. 2019-08-28 Laurie Crozier
- b. 2019-09-03 Bruce Schmaltz
- c. 2019-09-05 Romona Sertic
- d. 2019-09-05 Sharann Crabbe
- e. 2019-09-06 Christine Martin and Pete Ashbee

7.5 Public Comments for Bylaw No. 1254, 2019

Mayor Noël asked if the applicant wished to speak?

- Andrew Hanson, representative of 1181569 B.C. LTD. Dba "Ucluelet Cannabis Co." spoke to the application. Highlights included:

Product

- Product will include high level THC/Low level CBD products and high level CBD/low level THC products.
- High level CBD is used for relaxation and pain relief

Education

- Education is a priority for the retailer.
- Education will address the effect of cannabis on youth brain development.

Location

- The proposed location is discrete, central, and proposed upgrades to the streetscape on Larch Rd. will make that roadway more pedestrian friendly.
- The site is an exceptional retail site and plans to work with planning department to make the site the best retail site possible.

Experience:

- The applicant has experience in alcohol retail sales.

Mayor Noël asked for the first time if there were any members of the public who wished to speak?

Joe Corlazzoli, resident, stated that he is opposed to the proposed bylaw. Mr. Corlazzoli does not believe that Ucluelet is ready for retail cannabis sales. He noted that there are many young people in town and he does not believe that the town will be able to police the sale of legal cannabis, especially to minors. He explained that as a teen, he easily accessed alcohol.

David Smith, resident, stated that he is opposed to the proposed bylaw. Mr. Smith noted that 1 in 11 people who use cannabis become addicted. He stated that the risk of mental health issues is increased by cannabis youth use, especially in youth populations. He also noted that teenagers that use cannabis are particularly at risk of becoming addicted. He stated that cannabis use can harm brain development. He stated that no matter what measures are taken, the community will not be able to prevent youth from obtaining cannabis. He distinguished alcohol from Cannabis use

and noted that it is not at issue at this public hearing. He believes that local retail locations will make it easier to obtain cannabis.

Margaret Morrison, Executive Director of the Westcoast Community Resources Society (WCRS), spoke on behalf of WCRS. Ms. Morrison stated that she personally was neither for nor against the bylaw. She explained that WCRS encounters many people who are affected by alcohol and there is a lack of local support and resources for those people. This same challenge extends to cannabis users. She noted that if the resources to support cannabis users that experience adverse effects were locally available, this bylaw may be more suitable.

Sally Mole, resident, stated that she is in favour the proposed bylaw. She stated that cannabis retail shops provide critical education. She also noted that the shops will make numerous types of cannabis available which have different effects. She also supports this bylaw because it would allow for a new business in town. Finally, Ms. Mole noted that there is an illegal market in town and there is no way to know what cannabis users are purchasing through that market. She worries about fentanyl contamination.

Mayor Noël asked for the second time if there were any members of the public who wished to speak?

- There were no comments from the public.

Mayor Noël asked for the third time if there were any members of the public who wished to speak?

- There were no comments from the public.

Mayor Noël declared the Public Hearing for District of Ucluelet Zoning Amendment Bylaw No. 1254, 2019 closed at 6:28 PM.

8. PUBLIC HEARING - DISTRICT OF UCLUELET ZONING BYLAW AMENDMENT BYLAW NO. 1255, 2019 (1972 PENINSULA ROAD)

Mayor Noël declared the Public Hearing for the District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1255, 2019 open at 6:29 PM.

8.1 Presentation of Bylaw No. 1255, 2019

Bruce Greig, Manager of Community Planning, presented an overview of the zoning bylaw amendment which in general terms is to amend the CS-2 Service Commercial regulation within Schedule B of the Ucluelet Zoning Bylaw No. 1160, 2013 to allow Cannabis Retail as an additional

principle use on the property at 1972 Peninsula Road. Mr. Greig further explained the following:

- That this bylaw is similar to Bylaw No. 1254, 2019 but applies to a different location.
- The Applicant has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) licence for 1972 Peninsula Road with hours of operation between 9 AM and 11PM, seven days a week.
- The LCRB will not issue a CRS license without a positive recommendation from Council and this public hearing is an opportunity for the public to comment on the whether Council should provide a positive recommendation to the LCRB.

8.2 Reports and Materials for Bylaw No 1255, 2019

R-1 July 9, 2019 Regular Council Report

R-2 August 13, 2019 Regular Council Report

8.3 Excerpts from Previous Council Meetings

E-1 August 13, 2019 Regular Minutes

E-2 July 9, 2019 Regular Minutes

8.4 Written Submissions for Bylaw No. 1255, 2019

- a. 2019-08-28 Laurie Crozier
- b. 2019-09-07 Kyle Cheyne (The Applicant)
- c. 2019-09-08 Kyle Cheyne (The Applicant)

8.5 Public Comments for Bylaw No 1255, 2019

Mayor Noël asked if the applicant wished to speak?

- Kyle Cheyne, spoke to the application on behalf of Platinum Cannabis Ltd. He stated the following:
 - He is a medical cannabis user and has treated back and stomach issues with cannabis. He acknowledge that this will not an application to operate a medical cannabis dispensary.
 - Having resources about cannabis is a huge opportunity for the community.

Mayor Noël asked for the first time if there were any members of the public who wished to speak?

Joe Corlazzoli, resident, reiterated the statement that he made during the Public Hearing for Bylaw No. 1254, 2019 which is as follows:

...stated that he is opposed to the proposed bylaw. Mr. Corlazzoli does not believe that Ucluelet is ready for retail cannabis sales. He

noted that there are many young people in town and he does not believe that the town will be able to police the sale of legal cannabis, especially to minors. He explained that as a teen, he easily accessed alcohol.

David Smith, resident, reiterated the statement that he made during the Public Hearing for Bylaw No. 1254, 2019 which was as follows:

...stated that he is opposed to the proposed bylaw. Mr. Smith noted that 1 in 11 people who use cannabis become addicted. He stated that the risk of mental health issues is increased by cannabis youth use, especially in youth populations. He also noted that teenagers that use cannabis are particularly at risk of becoming addicted. He stated that cannabis use can harm brain development. He stated that no matter what measures are taken, the community will not be able to prevent youth from obtaining cannabis. He distinguished alcohol from cannabis and noted that it is not at issue at this public hearing. He believes that local retail locations will make it easier to obtain cannabis.

Margaret Morrison, Executive Director of the Westcoast Community Resources Society (WCRS), spoke on behalf of that society. Ms. Morrison reiterated the statement that she made during the Public Hearing for Bylaw No. 1254, 2019 which was as follows:

...stated that she personally was neither for nor against the bylaw. She explained that WCRS encounters many people who are affected by alcohol and there is a lack of local support and resources for those people. This same challenge extends to cannabis users. She noted that if the resources to support cannabis users that experience adverse effects were locally available, this bylaw may be more suitable.

Ms. Morrison acknowledged the medical benefits of cannabis and once again noted the limited resources available to someone who is experiencing an adverse reaction to cannabis.

Sally Mole, resident, reiterated the statement that he made during the Public Hearing for Bylaw No. 1254, 2019 which was as follows:

~~*...stated that she personally was neither for nor against the bylaw. She explained that WCRS encounters many people who are affected by alcohol and there is a lack of local support and resources for those people. This same challenge extends to cannabis users. She noted that if the resources to support*~~

~~cannabis users that experience adverse effects were locally available, this bylaw may be more suitable.~~

...stated that she is in favour the proposed bylaw. She stated that cannabis retail shops provide critical education. She also noted that the shops will make numerous types of cannabis available which have different effects. She also supports this bylaw because it would allow for a new business in town. Finally, Ms. Mole noted that there is an illegal market in town and there is no way to know what cannabis users are purchasing through that market. She worries about fentanyl contamination.

Ms. Mole further stated that she met with an adult who is a regular user of Cannabis who reported a stigma associated with accessing marijuana and informed her that the retail outlets relieve stigma and create an important interpersonal element. Ms. Mole reiterated that kids already have access to cannabis through the black market and highlighted the importance of uncontaminated products coming through legal streams.

Mayor Noël asked for the second time if there were any members of the public who wished to speak?

- There were no comments from the public.

Mayor Noël asked for the third time if there were any members of the public who wished to speak?

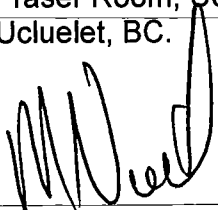
- There were no comments from the public.

Mayor Noël declared the Public Hearing for District of Ucluelet Zoning Amendment Bylaw No. 1255, 2019 closed at 6:37 PM.

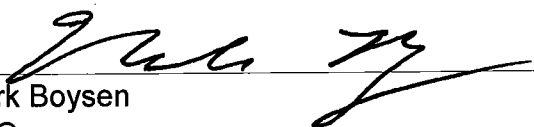
9. ADJOURNMENT

9.1 Mayor Noël adjourned the public hearing at 6:37 PM.

CERTIFIED CORRECT: Minutes of the Public Hearing Meeting held on Monday, September 9, 2019 at 6:00 pm in the George Fraser Room, Ucluelet Community Centre, 500 Matterson Road, Ucluelet, BC.



Mayco Noël
Mayor



Mark Boysen
CAO

