



SPECIAL MEETING OF COUNCIL

Monday, October 19, 2020 at 1:00 PM
Fraser River Presentation Theatre
4th Floor, 20338 – 65 Avenue, Langley, BC

MINUTES

Clerk's Note: The meeting was conducted with Council members and staff attending electronically as per Council Procedure Bylaw 2016 No. 5199 Amendment Bylaw 2020 No. 5592.

PRESENT: Mayor J. Froese

Councillors P. Arnason, D. Davis, S. Ferguson, B. Long, K. Richter, B. Whitmarsh, and E. Woodward

M. Bakken, S. Ruff, R. Seifi, and J. Winslade

W. Bauer, S. Little, S. Nam, and K. Stepto

A. ADOPTION AND RECEIPT OF AGENDA ITEMS

A.1 Special Council Meeting - October 19, 2020

Moved by Councillor Ferguson,
Seconded by Councillor Davis,
That Council adopt the agenda and receive the agenda items of the Special Council meeting held October 19, 2020.
CARRIED

B. PRESENTATIONS

B.1 Non-medical Cannabis Retail Sales Development Applications

R. Seifi provided a presentation on non-medical cannabis retail sales development application processing, as per Council's direction. He noted that on April 20, 2020, Council adopted a number of procedural bylaw amendments to accommodate non-medical cannabis retail sales in the Township. On September 21, 2020, Council received a report from staff grouping all applications received by August 31, 2020 together, organized by community complete with additional selection criteria, and referred the applications to a special meeting to be held October 19, 2020, to review each application in detail. The process for applicants showing municipal versus provincial responsibilities was presented. Policy #07-410 "Cannabis Retail Sale", adopted by Council on March 3, 2020, provides scope, purpose, locational criteria, and process for staff and Council to follow.

Applications received as of August 31, 2020 are as follows:

- Aldergrove – 8
- Carvolth-200 Street interchange – 3
- Fort Langley – 3
- Murrayville – 1
- Walnut Grove – 1
- Willoughby – 1
- Willowbrook – 3

The application status for each applicant was presented.

MOTION

Moved by Councillor Whitmarsh,

Seconded by Councillor Arnason

That applicant CR8, Springs Retail Holdings Ltd. be included as part of the Walnut Grove area, not the Carvolth Interchange.

DEFEATED ON A TIE VOTE

Councillors Davis, Long, Richter, and Woodward

MOTION

Moved by Councillor Long,

Seconded by Councillor Whitmarsh,

That the Carvolth Interchange area be removed from Policy #07-410 as a separate area for cannabis retail, and that those applicants be moved into either Walnut Grove or Willoughby, based on physical location.

DEFEATED ON A TIE VOTE

Mayor Froese and Councillors Arnason, Ferguson, and Woodward opposed

MOTION

Moved by Councillor Woodward,

Seconded by Councillor Ferguson,

That application CR10, 1186354 BC Ltd., located at 208 Street and 72 Avenue, NOT proceed any further and the applicant be advised accordingly; and

That the applicant be refunded any application fees.

CARRIED

Mayor Froese and Councillors Davis and Long opposed

MOTION - SELECTIVE PROCESSING BY STAFF

Moved by Councillor Long,

Seconded by Councillor Davis,

That Council direct staff to bring forward select applications, submitted by August 31, 2020, that are NOT the only ones in their respective communities, for Council's consideration of Zoning Bylaw amendments and the scheduling of the required public hearing, pursuant to provisions of the Council adopted Policy 07-410, and additional criteria as presented to Council as part of the staff report to Council on September 21, 2020.

DEFEATED ON A TIE VOTE

Councillors Arnason, Ferguson, Richter, and Woodward opposed

MOTION

Moved by Councillor Richter,

Seconded by Councillor Davis,

That Council direct staff to proceed with the applicants who received 7 of 7 check marks, and bring them forward for first and second reading.

MOTION DIVIDED

Moved by Councillor Woodward,

Seconded by Mayor Froese,

That the Fort Langley applications be voted on separately.

CARRIED

MOTION 1

That all of the applicants who received 7 of 7 check marks, proceed to first and second reading, except Fort Langley which will be voted on separately.

CARRIED

COUNCILLOR DECLARES CONFLICT ON INTEREST

Councillor Woodward declared a Conflict of Interest under Section 100 of the Community Charter as he has a property interest, and the left meeting at 3:57PM. .

MOTION

That applicant CR7, 1135648 BC Ltd., proceed to first and second reading.

CARRIED

Councillor Woodward re-entered the meeting at 3:58pm.

MOTION

Moved by Councillor Whitmarsh,

Seconded by Councillor Davis,

That applicants who received 6 of 7 check marks, also be brought forward for first and second reading.

MOTION TO DIVIDE

Moved by Councillor Richter,

Seconded by Councillor Davis,

That each application be considered separately.

CARRIED

Councillors Long and Whitmarsh opposed

MOTION

That applicant CR11, 0510711 BC Ltd., proceed to first and second reading.

CARRIED

MOTION

That applicant CR4, High Five Retail., proceed to first and second reading.

CARRIED

MOTION

That applicant CR5, 11811168 BC Ltd., proceed to first and second reading.

CARRIED

COUNCILLOR DECLARES CONFLICT OF INTEREST

Councillor Woodward declared a Conflict of Interest under Section 100 of the Community Charter as he has a property interest, and the left meeting at 4:03pm.

MOTION

Moved by Councillor Whitmarsh,

Seconded by Councillor Arnason,

That applicant CR14, Kansas Enterprises Ltd., proceed to first and second reading.

CARRIED

Councillor Richter opposed

Councillor Woodward re-entered the meeting at 4:04pm.

MOTION

Moved by Councillor Richter,

Seconded by Councillor Woodward,

That applicant CR15, Berezan Hospitality Group, having received 5 of 7

check marks, NOT proceed to first and second reading.
CARRIED

Councillors Arnason, Ferguson, and Woodward opposed

MEETING RECESSED
The meeting recessed at 4:16pm.

MEETING RECONVENED
The meeting reconvened at 4:23pm.

MOTION
Moved by Councillor Woodward,
Seconded by Councillor Richter,
That application fees be refunded to Berezan Hospitality Group.

AMENDMENT
Moved by Councillor Woodward,
Seconded by Councillor Ferguson,
That all applicants who do not proceed, be refunded.
CARRIED

Councillor Long opposed

MAIN MOTION AS AMENDED
The question was called on the Main Motion, as amended, and it was:
CARRIED

Councillor Long opposed

MOTION
Moved by Councillor Whitmarsh,
Seconded by Councillor Richter,
That applicants CR 12, Spring Retail Holdings, CR19, La Fleur Holdings Ltd., and CR20, Burb Cannabis Corp., CR3, 1186354 BC Ltd., CR9, Friday 5pm Management Ltd., and CR13, Thrive Liquor and Cannabis Inc., having received 5 of 7 check marks, NOT proceed to first and second reading.

MOTION TO DIVIDE
Moved by Councillor Ferguson,
Seconded by Councillor Arnason,
That each application be considered separately.
DEFEATED ON A TIE VOTE

Councillors Long, Richter, Whitmarsh, and Woodward opposed

MOTION

That applicants CR 12, Spring Retail Holdings, CR19, La Fleur Holdings Ltd., and CR20, Burb Cannabis Corp., CR3, 1186354 BC Ltd., CR9, Friday 5pm Management Ltd., and CR13, Thrive Liquor and Cannabis Inc., having received 5 of 7 check marks, NOT proceed to first and second reading.

DEFEATED ON A TIE VOTE

Councillors Arnason, Davis, Ferguson, and Woodward opposed

MOTION

Moved by Councillor Ferguson,

Seconded by Councillor Arnason,

That applicants CR 12, Spring Retail Holdings, CR19, La Fleur Holdings Ltd., CR20, Burn Cannabis Corp., CR3, 1186354 BC Ltd., CR9, Friday 5pm Management Ltd., and CD13, Thrive Liquor and Cannabis Inc., having received 5 of 7 check marks, proceed to first and second reading.

MOTION TO DIVIDE

Moved by Councillor Woodward,

Seconded by Councillor Ferguson,

That applicants CR12, Spring Retail Holdings, CR19, La Fleur Holdings Ltd., and CR20, Burb Cannabis Corp., and

applicants CR3, 1186354 BC Ltd., CR9, Friday 5pm Management Ltd., and CD13, Thrive Liquor and Cannabis Inc., be voted on as separate groups.

CARRIED

Councillors Long, Richter, and Whitmarsh opposed

MOTION

That applicants CR 3, 1186354 BC Ltd., CR9, Friday 5pm Management Ltd., and CR13, Thrive Liquor and Cannabis Inc., proceed to first and second reading.

DEFEATED

Mayor Froese and Councillors Arnason, Davis, Long, Richter, Whitmarsh, and Woodward opposed

MOTION

That applicants CR 12, Spring Retail Holdings, CR19, La Fleur Holdings Ltd., and CR20, Burb Cannabis Corp., proceed to first and second reading.
DEFEATED ON A TIE VOTE

Mayor Froese and Councillors Long, Richter, and Whitmarsh opposed

C. REPORTS TO COUNCIL**D. OTHER BUSINESS****E. MOTION TO RESOLVE INTO SPECIAL CLOSED MEETING**

That Council now resolve into a Special Closed Meeting for discussion of the following items, in accordance with and as identified under Section 90 of the Community Charter:

Item A.1 - Section 90(1) (n) Consideration; and

Item B.1 - Section 90(1) (e) Property; (g) Legal; and Section 90(2) (b) Intergovernmental Relations.

MOTION WITHDRAWN

F. TERMINATE

Moved by Councillor Davis,
Seconded by Councillor Whitmarsh,
That the meeting terminate at 4:59pm.
CARRIED

CERTIFIED CORRECT:

Mayor

Township Clerk