

**Late Agenda Items****Regular Council Agenda  
November 15, 2022**

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**Recommendation:**

That Council amend the agenda to add the following items, received after publication of the agenda:

	<b>Pages</b>
<b>9.1. Development Variance Permit Application 3090-22-08 – 260 Bayview Avenue</b> Add one public submission.	<b>2</b>
<b>9.3 Referral for Non-Medical Cannabis Retail Store – Unit #16 370 Davis Road (“Flight Cannabis Co.”)</b> Add public submissions.	<b>3 -16</b>

Received Nov 15, 2022

Within Circulation Area

**From:** simran kaur  
**Sent:** November 14, 2022 5:21 PM  
**To:** Town of Ladysmith <[info@ladysmith.ca](mailto:info@ladysmith.ca)>  
**Subject:** File: DVP3090-22-08

Hello,

We are residents of 283 Dogwood Dr Ladysmith. We received the notification about variance, development permit to 260 Bayview Ave .

This is unfortunate news for us , and we would like raise our objection against this permit. Percel line set back , reduced to 2.91 m is compromising our privacy , and completely blocking our view . New dwelling (rear end of 260 Bayview ) so close to our bedrooms , and kitchen that it would completely take away the safety , privacy and ocean views.

Our home 283 Dogwood is in middle of 281 dogwood and 260 Bayview Ave , which is in middle of these two properties with one way access to road to Dogwood . Building another subdivision would completely crowd the lots and take away the natural views and privacy. We are on a hill , and another building would means cutting more trees and reducing the wildlife presence including squirrels , Birds , Insects , bees etc.

We purchased this property last year and paid high property price and taxes to appreciate and enjoy this view as we are planning to keep this as our forever home and grow old in it .

We humans need start appreciating and respecting what's around us , Greed is never ending , and only drives us to build more and more buildings .

Please acknowledge our request to reject this permit. I hope the town of Ladysmith , residents can understand and limit the construction around us.

Thanks

Simran , Harjinder and Reuben Bains  
283 Dogwood dr.

Dear Mayor Stone and Council,

Congratulations to new and returning members. I hope all are settling well into a new term in office.

It is with regret that I write this letter to make known my vehement opposition to the Non-medical Cannabis License request at Unit #16-370 Davis Rd (Coronation Mall).

This opening can only be seen as a hostile bid to destroy our locally owned stores by a much larger non-local corporation with incredibly deep pockets. As I write, the entirety of the cannabis industry across BC is retracting due to overexpansion/undefined provincial and municipal forethought with regard to licensing, proliferation of the black market and illicit storefronts, and a race to rock bottom pricing. Stores are closing all over the province -- stores in our own town are holding on for dear life -- yet Flyte has decided to open here. Why?

In the immediate aftermath of legalization, the federal government passed the buck to the Provincial government, who then passed the buck to you, our municipal leaders. It is understandable that councils across the province would follow a route that is as unhindered as is possible and encourages competition and growth. It is the framework by which our towns and cities have grown to be industrious, productive places which afford us our way of life; however, it is not so in certain industries such as liquor and cannabis. With the benefit of hindsight, we can now see that there is only one end if there is not a limit to the number of licenses based on population. Rapid expansion by large competitors with near unlimited funds can easily finish local companies by way of reduction in prices to unsustainable levels. One would argue that competition allows for differentiation based on product offerings, but that is not the case in the cannabis industry. Every store in BC sells from the same product catalogue, and prices are already as low as they can go due to direct competition in the form of BC Cannabis Stores (who also offer online sales, ship directly to the customer, and have a fifteen percent markup advantage against our civilian stores). Moreover, cannabis companies are not allowed to advertise their products or prices, or even differentiate themselves in any way publicly. A large company with prices at cost and a shiny storefront in our town's most high-profile shopping location is sure to dominate. Allowing such a move would go against the Locals Love Ladysmith/shop local mantra. We support local business online, in the papers, and in campaign platforms. Now is your chance to do something to back up the talk.

I've heard members of this very Council as a matter of comparison refer to the fact that Ladysmith has 3 Chinese food restaurants and that we do not limit the amount of Chinese food in our town. This comparison is about as far off base as I could imagine. A more realistic explanation would be if we had 5 Chinese food stores within a fifteen-minute radius (Indigenous Bloom, Jerry's, 1904, Father Nature, and Violet Wild) who all have the same cook and exact same product on offer, which is

heavily taxed with prices at rock bottom. Add to that black market Chinese food cooks on every second block who can sell their goods at a fraction of the cost. Those same black market cooks also have massive reach online, and ship top quality Chinese food to the customers' door. It is a horrible situation. Now we have a behemoth of a company moving into a location which was conveniently unavailable to small companies such as ours, who will certainly force our local companies to operate at a loss until the inevitable.

It is very unfortunate that the Federal and Provincial Governments have passed this responsibility onto you, our local leaders, as there is a simple precedent set by the liquor industry in the province. There are only so many licenses to go around and stores must follow strict placement rules. A quick drive through a city such as Port Alberni, or Parksville with its kitty-corner cannabis stores show the almost comical yet completely disheartening look a town can take on when wiser heads do not prevail. It is a waste of space and resources in a town where such things are at a premium. The correct decision is to enact our own set of regulations for cannabis store density with relation to the population of our town. The Association of Cannabis Retailers estimates that one cannabis store requires a population of roughly ten thousand people in order to be sustained. As it stands, Ladysmith has 3 stores already and more just outside of town. Please do not pass the buck down to us, your constituents. We are struggling.

We are proud to provide our employees a living wage in uncertain times; our company sustains over 10 families of good, hardworking local people. I'm sure the other local stores do the same. We are deeply engrained in the community, from sports, to community events, to the Chamber of Commerce and LDBA. It would be a tragedy to see one new store open at the expense of 3 or more established local ones all because we were too timid in setting limits where the Province should have.

Steve Elkiw

Please call any time to discuss further

\*Density recommendation letter from Jaclyn Pehota of ACCRES included

To whom it concern,

I am writing to you today in my capacity as Executive Director of Association of Canadian Cannabis Retailers (ACCRES) on behalf of our member businesses located in the city of Ladysmith. ACCRES currently represents two licensed cannabis retailers in Ladysmith.

I have been working to educate municipalities on the challenges that have arisen for many of our members across the province. One of this issues is a disconnect between the density for stores in communities not matching the population density.

While ACCRES is obviously focused on and supportive of reasonable access to cannabis, I hope to illustrate some of the challenges that an this lack of alignment presents to license holders and the communities they serve.

Under normal circumstances, market competition and consumer preference would dictate which businesses in the community will thrive and which fail. In the case of regulated cannabis, however, the factors that contribute to the normal success and failure of small business are largely absent. Private cannabis retailers are currently unable to differentiate themselves in a meaningful way from one another based on product diversity, pricing, or marketing.

This is the case due to three main factors:

Products available to private retailers are dictated by the provincially owned distributor. Currently, the variety of products available for sale in the regulated system means that private cannabis shops are carrying a nearly, identical selection of products in their stores. Further to this, the pricing of these products is being largely dictated by the online BC Cannabis Store. The provincial online store represents significant competition to the brick and mortar private retailers.

The unregulated, or “black market”, cannabis stores further contribute to margin pressures. Licensed retailers lose approx. 60% of their sales volume when located in proximity to unregulated operators.

The marketing options available to licensed cannabis retailers is hugely restricted at a federal level. There is some contention whether private retailers can advertise that their business exists under the current federal marketing regulations, let alone provide the public with compelling advertising that would drive traffic to their location.

As a result of these conditions, cannabis retailers find it extremely difficult to distinguish themselves at present, making competition a race to the bottom rather than a meaningful exercise in customer attraction and retention. Further increasing the number of retailers in a region does not meaningfully improve customer experience or price, but rather divides the already small pie of recreational cannabis customers further.

Due to the strict controls and lack of a true open market driven by standard competitive factors, store density that is out of line with the population density can serve to drive the failure of new small businesses. These factors are redoubled with the impact COVID will have on this summer's tourism season.

Our members believe that land use for cannabis retailers in your community should be informed by the factors above. If these factors are not considered during the decision-making process, the result might be the loss of existing private cannabis retailers in the community, causing a needless waste of both private capital and municipal resources, while also displacing other businesses unnecessarily. Our members assert that policies on this matter should be locally regularly viewed to ensure they keep pace with this emerging sector.

Thank you for considering the information presented in this letter.

Best regards,

Jaclynn Pehota  
Executive Director  
Association of Canadian Cannabis Retailers (ACCRES)

Received Nov 12, 2022

**From:** Kat  
**Sent:** November 12, 2022 4:20 PM  
**To:** Town of Ladysmith <[info@ladysmith.ca](mailto:info@ladysmith.ca)>  
**Subject:** Cannabis Shop

I think that the town allowing another cannabis shop goes against a small town feel and traditional family values.

My children already have bad memories of people on First Avenue who were using substances.

I think cannabis shops are something we should discourage rather than encourage. My 8 year old daughter says she would like to feel safe in town and that this shop would not help.

Take care,  
Katherine

His Worship Mayor Aaron Stone and Council  
Town of Ladysmith  
410 Esplanade, PO Box 220  
Ladysmith, BC  
V9G 1A2

Re: Non-Medical Cannabis Retail Application – Flight Cannabis Co.  
Community Feedback

Dear Mayor Stone and Council,

Please kindly accept my formal response to the letters submitted via the Public Submissions webpage.

I would like to extend appreciation to the letter writers for sharing their concerns with the Town and Council. Flight Cannabis Co. is part of a diverse group of companies that were founded, and only operate, on Vancouver Island. I can say, with a high certainty, that we are not looking to monopolize the industry let alone the Town of Ladysmith.

I have, in point form below, listed some important points that I would like to share:

- Coronation Mall is already designated and zoned for cannabis retail and has been for some time. This would imply that the Town of Ladysmith and other operators in the township were aware of the potential for at least a third location.

- In a previous council meeting, a proposed cannabis retailer was rejected due to proximity to old town and another cannabis retailer. Coronation Mall is well set away from both, is a proper retail centre, and was mentioned several times as a suitable alternative in that meeting.

- Councillors at the time also mentioned they were in favor of free enterprise and entrepreneurship and have declined setting a cap on the number of cannabis stores it would support.

- The Island Highway sees up to 25,000 vehicle travellers each day. Coronation Mall is a major stop for many travellers from outside the community due to the array of stores and services. From a land use perspective, this is a best fit location and is why it was designated well in advance of any other locations.

The logo for Flight Cannabis Co. features the word "Flight" in a large, stylized, handwritten-style script. Below it, the words "CANNABIS CO." are written in a smaller, clean, sans-serif, all-caps font.

CANNABIS CO.

The logo for a truffles GROUP Company features the word "a" in a small script font above the word "truffles" in a larger, bold, sans-serif font. Below "truffles" is the word "GROUP" in a smaller, all-caps, sans-serif font, and at the bottom is the word "Company" in a script font.

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**LANGFORD**  
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**FLIGHTCANNABIS.CA**



- We are not a member of ACCRES but belong to another group that represents the cannabis industry. If we had been a member of ACCRES, their letter would likely not have been written. The letter also doesn't address risks and factors that are associated with operators choosing less than ideal retail locations.

- On Thursday November 10, I introduced myself and our company to many of the shops and staff that were available within Coronation Mall. The reception I received felt very positive and welcoming.

- The Truffles Group is a group of small companies on Vancouver Island providing jobs to approximately 400 people. Flight Cannabis provides some of the highest cannabis consultant wages on the Island. We have deeply rooted core values, with community being one of them.

Thank you again for this opportunity to respond to the feedback received.

*Flight*

CANNABIS CO.

a  
truffles  
GROUP  
Company

Most Sincerely,



Aaron Miller  
Regional Manager  
Flight Cannabis Co.  
TTG Management Ltd.

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His Worship Mayor Aaron Stone and Council  
Town of Ladysmith  
410 Esplanade, PO Box 220  
Ladysmith, BC  
V9G 1A2

Re: Non-Medical Cannabis Retail Application – Flight Cannabis Co.

Dear Mayor Aaron Stone and Council,

I wish to thank the Mayor and Council for this opportunity to introduce myself, our brand, and my employer, TTG Management Ltd.

My name is Aaron Miller and I represent a diverse collection of companies known as the Truffles Group. Our organization consists of Victoria Butterfly Gardens, Truffles Catering, Habitat Food Services (Royal Roads University) and Cascadia Liquor. We maintain and manage over a dozen-controlled substance licenses in both retail and hospitality. To date, we have never had an infraction with the LCRB and have in fact been awarded Retailer of the Year by ABLE BC. Through our licenses we serve tens of thousands of guests a year and always maintain a high level of integrity, responsibility, honesty, and community within the neighborhoods where we operate. It may sound as though we are a large corporation with focus on finance but to the contrary, we are a devoted group of talented individuals, which we think of as family, with strong core values, a hands-on approach, and a passion towards guest experience.

Our incredible depth of knowledge and experience in controlled substance retail has positioned us to become a premier retailer of non-medical cannabis products. Our cannabis business operations have only existed in the legal cannabis market. Our mission is to provide a safe, clean, and well-respected retail environment.

In our previous applications, correspondence with residents in the neighborhoods where we have established our retail operations, three primary points of concern were commonly shared: Hours of Operation, Public Consumption, and Odour.

Hours of Operation – We expect to operate our stores from 9am to 10pm 7 days a week. We close only December 25. These hours are consistent with Save-on-Foods and other neighboring businesses. In our experience, these hours provide the best level of customer service and our staff training provides anti-robbery prevention and site safety requirements.

*Flight*

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a  
truffles  
GROUP  
*Company*

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truffles  
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Company

**Public Consumption** –Our staff training provides resources and tools for teams to manage unwarranted public consumption outside of our stores. This includes regular perimeter checks and exterior video surveillance. Additionally, it is also unlawful to have open cannabis accessible to the driver and/or passengers of a vehicle even while parked. Driving under the influence of Cannabis is also unlawful and therefore a strong deterrent for consumption other than at their intended destination. In areas of the mall that may seem as providing desired spaces for consumption will likely not be used for this purpose unless the issue previously exists. Since legalization, the need for such places to ‘hide away and smoke’ have diminished. Our retail locations across all our brands have an exemplary record of professionalism in keeping our sites clean of refuge and loiterers.

**Site Security** – Our store concept has been designed around the conservative cannabis consumer and has been set far apart from legacy market stores. Our design provides a well-lit location, inside and out, multiple camera video surveillance with long retention capability, well trained staff, and clear signage. We have security as a high priority not only for ourselves but for the community as well. Any suspicious behavior is to be logged and reported to authorities, as necessary. Law enforcement will have access to surveillance footage whenever requested. All cannabis products will be kept securely locked and unobtainable to customers with out our intervention.

At Flight Cannabis Co, we are proud of spaces and history of our ability to minimize or, all together, remove any issues and concerns relating to consumption, site security and loitering.

Our only goal at Flight Cannabis Co. is to provide a respectful, responsible, and approachable operation not just for our customers but for our neighbors and the community. Our reputation and high standards set us apart and I feel that we will be seen as a proud member of the Town of Ladysmith. I wish to thank you again for the opportunity to provide correspondence and wish you all only good health.

Most Sincerely,

Aaron Miller  
Regional Manager  
Flight Cannabis Co.  
TTG Management Ltd.

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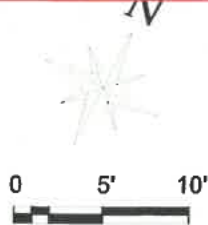
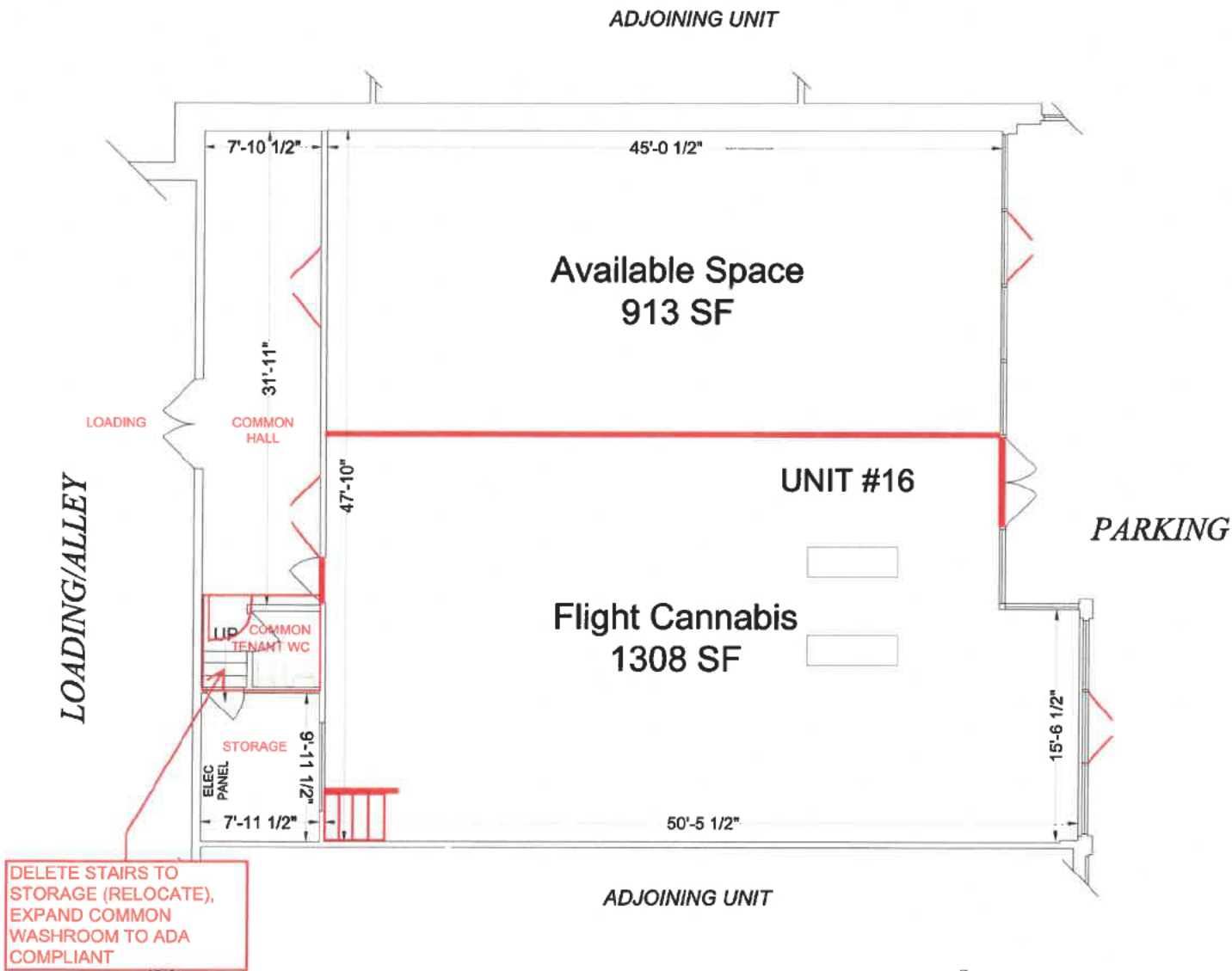
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UNIT #16  
 341 TRANS CAN. HWY.  
 LADYSMITH, BC  
 V9G 1T8

PROPOSED DEMISING PLAN  
 OPTION 4  
 OCTOBER 14, 2022



MEASURED AUG 2020

THE JIM PATTISON GROUP  
 SUITE 1800  
 1067 WEST CORDOVA ST.  
 VANCOUVER BC V6C 1C7  
 604.688.6764

UNIT #16  
 341 TRANS CAN. HWY.  
 LADYSMITH, BC  
 V9G 1T8

FLOOR PLAN

22 SEP 2020

20-270312

3/32" = 1'0"



MEASURE MASTERS  
 VANCOUVER ISLAND - COMMERCIAL  
 604 433 5646  
 MMYC.CA



RE: Letter of Business and Character Reference on behalf of Flight Cannabis Co. and The Truffles Group.

I, KEN SCHLEY, holding the position of PRESIDENT - KELLAND FOODS HOLDINGS LTD., would like to provide a favourable referral on behalf of Flight Cannabis Co. and The Truffles Group.

The Truffles Group, through their controlled substance retail divisions of Cascadia Liquor and/or Flight Cannabis Co., operate at four (4) of our commercial centres and have an impeccable track record with their commercial and residential neighbours. They have:

- Maintained the business premises to elevated standards of care, organization and cleanliness
- Maintained elevated level of site security using, but not limited to, scalable video surveillance, ample lighting and established robbery prevention procedures
- Have not been a contributor to excessive noise, loitering, onsite consumption or additional litter at our neighbourhood shopping centres

  
Signature

KEN SCHLEY  
Print Name

10 / 20 / 2022  
Date

Flight Cannabis Co  
200 – 376 Harbour Road  
Victoria, BC  
V9A 3S1

RE: Letter of Business and Character Reference on behalf of Flight Cannabis Co. and  
The Truffles Group

I, Ketan Prayapati, holding the position of,  
Owner Medicine Shoppe P1cy, hereby consent to give a  
positive reference on behalf of Flight Cannabis Co and The Truffles Group on the  
following, but not necessarily limited to, criteria:

	Y / N
Maintains business premises to elevated standards of care, organization and cleanliness.	yes
Maintains elevated level of site security using, but not limited to, scalable video surveillance, ample lighting and established robbery, prevention procedures.	yes
Encourages a positive, knowledgeable and inclusive team of Cannabis consultants. All staff are certified under Provincial requirements.	yes
Has not been a contributor to excessive noise, loitering, onsite consumption or additional litter.	yes

**Flight**  
CANNABIS CO.

a  
**truffles**  
GROUP  
Company

Additional commentary may be included and written on back side of page.

  
Signature

Ketan Prayapati  
Print Name

Nov 4 / 2022  
Date

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Flight Cannabis Co  
200 – 376 Harbour Road  
Victoria, BC  
V9A 3S1

RE: Letter of Business and Character Reference on behalf of Flight Cannabis Co. and  
The Truffles Group

I, PJ MILINKOVIC, holding the position of,  
STORE MANAGER, hereby consent to give a  
positive reference on behalf of Flight Cannabis Co and The Truffles Group on the  
following, but not necessarily limited to, criteria:



	Y/N
Maintains business premises to elevated standards of care, organization and cleanliness.	Y
Maintains elevated level of site security using, but not limited to, scalable video surveillance, ample lighting and established robbery prevention procedures.	Y
Encourages a positive, knowledgeable and inclusive team of Cannabis consultants. All staff are certified under Provincial requirements.	Y
Has not been a contributor to excessive noise, loitering, onsite consumption or additional litter.	Y

Additional commentary may be included and written on back side of page.

A handwritten signature in black ink, appearing to read "PJ", followed by a long horizontal line.

Signature

PJ MILINKOVIC

Print Name

OCT 28, 2022

Date

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RE: Letter of Business and Character Reference on behalf of Flight Cannabis Co. and  
The Truffles Group

I, DAMON DUBETZ, holding the position of,  
STORE MANAGER QUALITY FOODS, hereby consent to give a  
positive reference on behalf of Flight Cannabis Co and The Truffles Group on the  
following, but not necessarily limited to, criteria:



	Y / N
Maintains business premises to elevated standards of care, organization and cleanliness.	Y
Maintains elevated level of site security using, but not limited to, scalable video surveillance, ample lighting and established robbery prevention procedures.	Y
Encourages a positive, knowledgeable and inclusive team of Cannabis consultants. All staff are certified under Provincial requirements.	Y
Has not been a contributor to excessive noise, loitering, onsite consumption or additional litter.	Y

Additional commentary may be included and written on back side of page.

  
Signature

DAMON DUBETZ  
Print Name

OCT 29, 2022  
Date

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