



Committee of the Whole Report

For the Meeting of January 24, 2019

To: Committee of the Whole **Date:** January 10, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00677 for 1516-1564 Fairfield Road

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00677 for 1516-1564 Fairfield Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1516-1564 Fairfield Road. The proposal is to rezone from the C1-DC-1 Zone, Shopping Centre District, to a site-specific zone in order to allow for the retail sale of cannabis.

The following points were considered in assessing this application:

- The proposal is consistent with the Large Urban Village urban place designation in the *Official Community Plan (2012)*, which envisions commercial uses.
- The property is identified as a District Centre within *Suburban Neighbourhoods (1984)*, within which commercial uses are envisioned.
- The proposal is consistent with the *Storefront Cannabis Retailer Rezoning Policy*, as there are no permitted storefront cannabis retailers within 400m or schools within 200m of the subject site.

BACKGROUND

Description of Proposal

This Rezoning Application is to allow for the retail sale of cannabis in an existing building. The

following differences from the standard current zone are being proposed:

- storefront cannabis retailer would be a permitted use
- only one storefront cannabis retailer be permitted to operate on the property at a time
- storefront cannabis retailer would be restricted to a maximum floor area of 104m²
- the maximum storefront cannabis retailer store frontage facing Fairfield Road would be 8.7m.

All other requirements within the C1-DC-1 Zone, Shopping Centre District, remain the same.

Staff have requested a Statutory Right-of-Way (SRW) of 2.38m off Fairfield Road and 2.38m off St Charles Street to meet future transportation-related needs. However, the property owners have indicated that they are not willing to provide the SRW at this time, but would consider it in the future should a full redevelopment of the property occur (letter attached).

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this application.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Land Use Context

The area surrounding the property (Fairfield Plaza) is characterized primarily by single family dwellings. To the south of the subject site is Ross Bay Cemetery and close by, to the east, is Hollywood Park.

Existing Site Development and Development Potential

The site is presently a single-storey commercial plaza with surface parking. Under the current C1-DC-1 Zone, Shopping Centre District, the property could be developed in a similar manner: up to a maximum height of one storey and a maximum floor space ratio of 0.35 to 1.

Community Consultation

Consistent with the *Storefront Cannabis Retailer Rezoning Policy*, the requirement to arrange and participate in a Community Association Land Use Committee (CALUC) Community Meeting is waived unless the application involves construction of a new building; however, the application was referred to the Fairfield Gonzales CALUC. Also consistent with the Policy, the application has been referred to School District No. 61 and the Victoria Police Department (VicPD). The following table displays the number of service calls:

Calls for Service	2015	2016	2017	2018
Calls to the immediate area	0	0	0	0
Calls to the block	14	13	8	8

ANALYSIS

Official Community Plan

The *Official Community Plan* (OCP, 2012) identifies this property within the Large Urban Village urban place designation, within which commercial uses are envisioned.

The subject is located within Development Permit Area (DPA) 16: General Form and Character. Within this DPA, replacement of exterior materials, such as opaque glass, do not require a Development Permit. Should this application proceed to a public hearing, staff recommend that the site specific zone limit the retail frontage facing Fairfield Road to a maximum of 8.7m for storefront cannabis retailer, which is the length of the current proposal and would prevent future reorganizations which may result in a longer storefront and additional opaque windows.

Local Area Plans

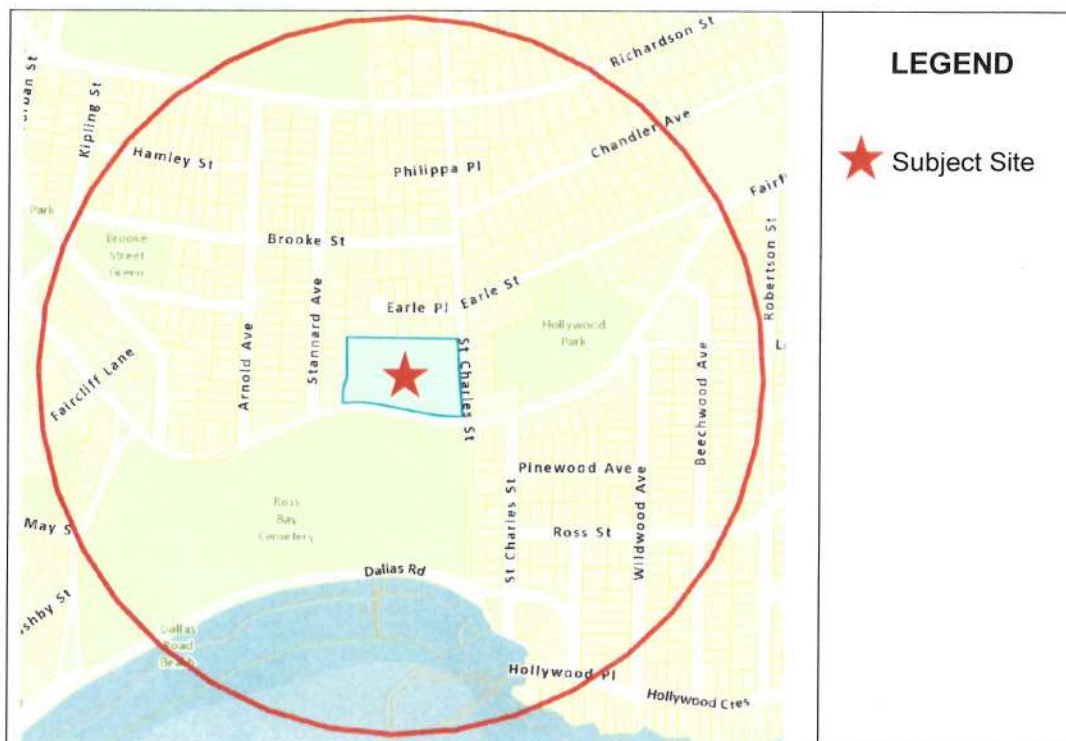
The *Suburban Neighbourhoods* (1984), identifies the property as the Fairfield Plaza District Centre. Within District Centres, development should be limited to one storey with commercial and institutional uses.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts and no impacts to public trees with this application.

Storefront Cannabis Retailer Rezoning Policy

The application is for a new storefront cannabis retailer. The proposal is consistent with the *Storefront Cannabis Retailer Rezoning Policy* as there are no permitted storefront cannabis retailers within 400m of the property and no public or independent elementary, secondary or high schools are within 200m of the property.



CONCLUSIONS

This proposal to permit the storefront cannabis retailer use is consistent with the Large Urban Village designation in the OCP and the District Centre designation in the *Suburban Neighbourhoods* plan. The proposal does not have any schools within 200m or permitted storefront cannabis retailers within 400m of the property. Staff therefore recommend Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00677 for the property located at 1516-1564 Fairfield Road.

Respectfully submitted,

Michael Angrove
Planner
Development Services

Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:

Jan 17, 2019

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped January 2, 2019
- Attachment D: Letter from applicant to Mayor and Council dated November 30, 2018
- Attachment E: Letter from property owner dated December 18, 2018.