

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the January 24, 2019 COTW Meeting

I.1.a.a 1516-1564 Fairfield Road - Rezoning Application No. 00677 (Fairfield)

Moved By Councillor Alto
Seconded By Councillor Collins

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.

CARRIED UNANIMOUSLY

E. LAND USE MATTERS

E.1 1516-1564 Fairfield Road - Rezoning Application No. 00677 (Fairfield)

Committee received a report dated January 10, 2019 from the Acting Director of Sustainable Planning and Community Development regarding an application to allow for the retail sale of cannabis.

Committee discussed:

- *The Provincial process in relation to licencing.*

Moved By Councillor Dubow

Seconded By Councillor Loveday

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.

CARRIED UNANIMOUSLY



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

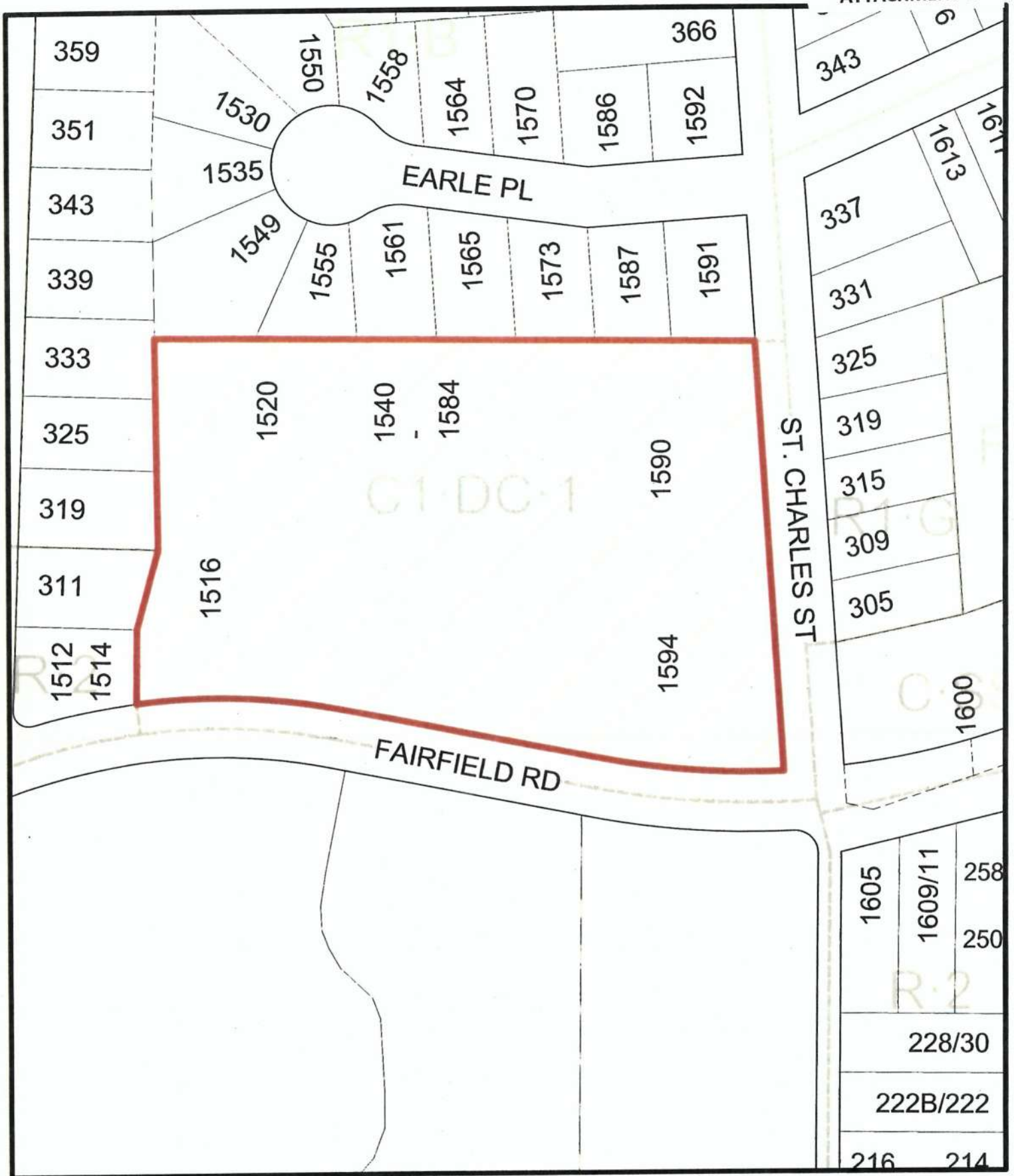
Report accepted and recommended by the City Manager:

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.



1560-1564 Fairfield Road
Rezoning No.00677





1560-1564 Fairfield Road
Rezoning No.00677



Received
City of Victoria

JAN 02 2019

Planning & Development Department
Development Services Division

ST. CHARLES STREET

FAIRFIELD ROAD

PLAN -12772



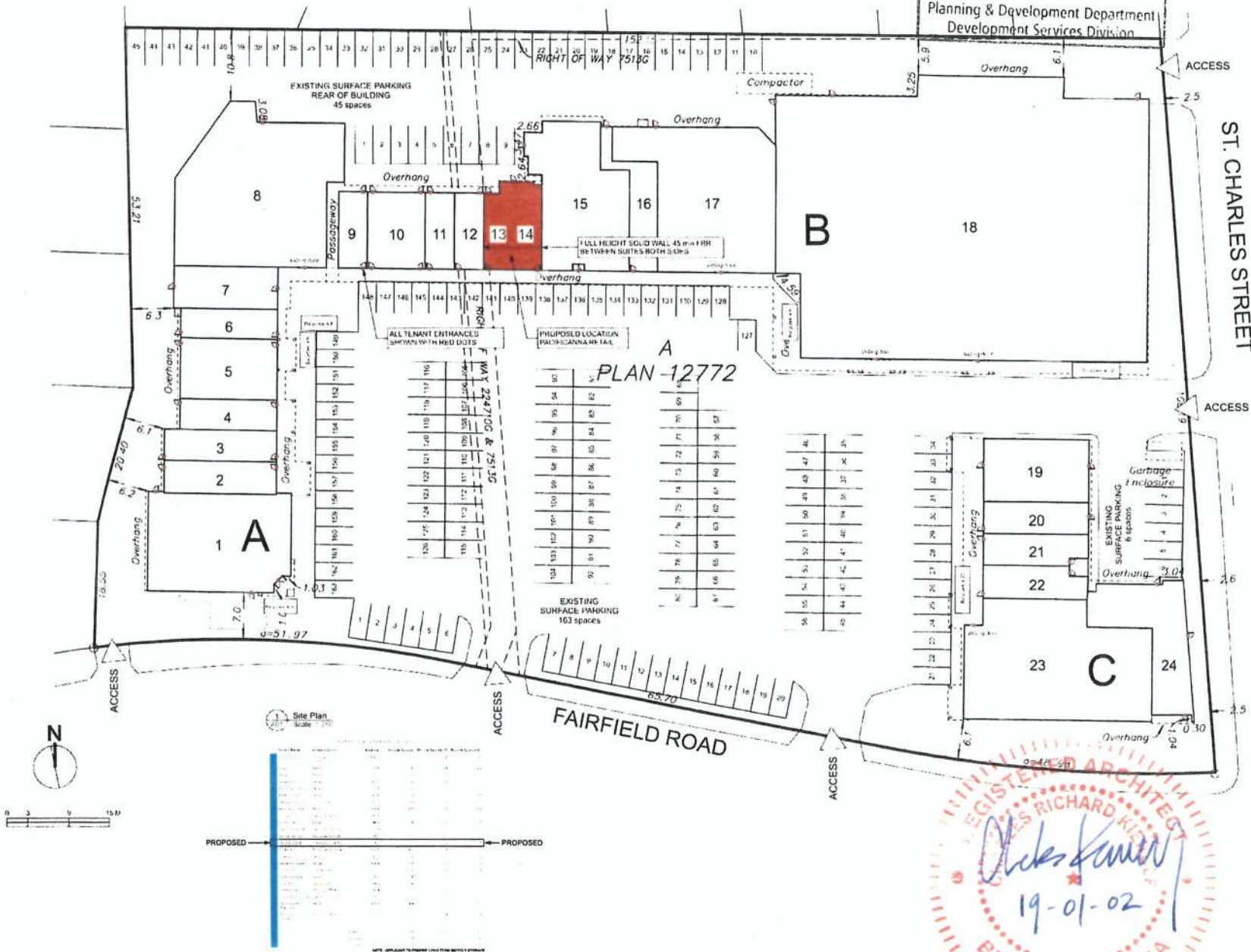
LIST OF TENANTS	
NO.	NAME
1	REDS BAY PLS
2	JOHN'S BAKERY
3	NOVEN BAKERY
4	CHERRY BAKERY
5	THE BAKERY CO
6	FRANK'S COFFEE
7	THE COFFEE HOUSE
8	THE COFFEE HOUSE
9	THE COFFEE HOUSE
10	THE COFFEE HOUSE
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24	THE COFFEE HOUSE

PROPOSED TENANTS	
NO.	NAME
1	REDS BAY PLS
2	JOHN'S BAKERY
3	NOVEN BAKERY
4	CHERRY BAKERY
5	THE BAKERY CO
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Pacificanna Retail
Fairfield Road
Victoria BC
Site Plan - OVERALL

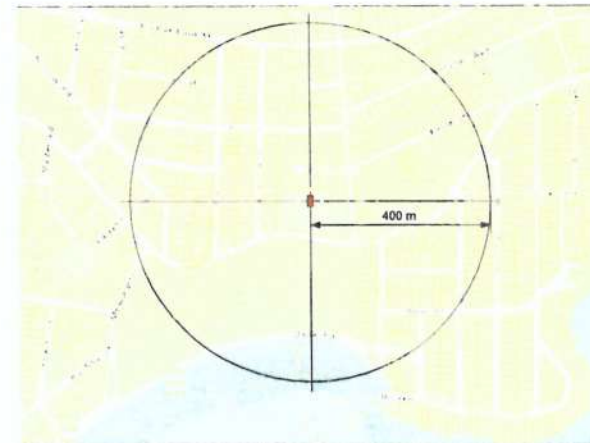
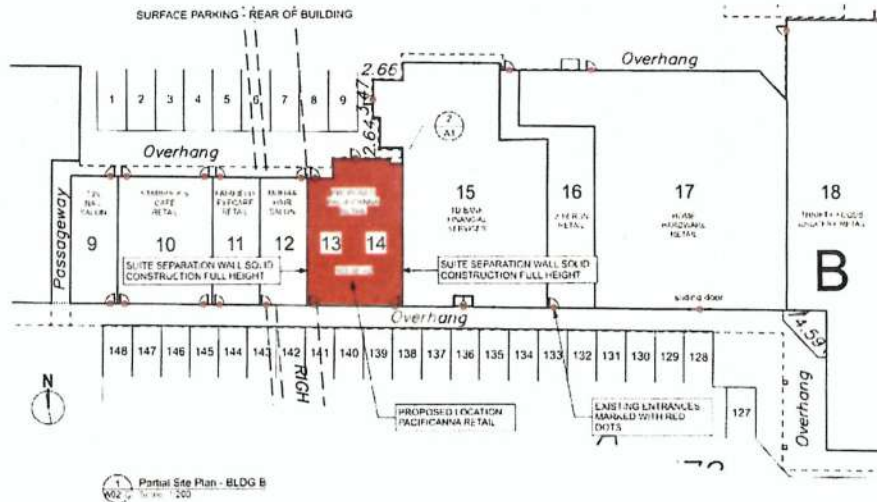
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ATTACHMENT C

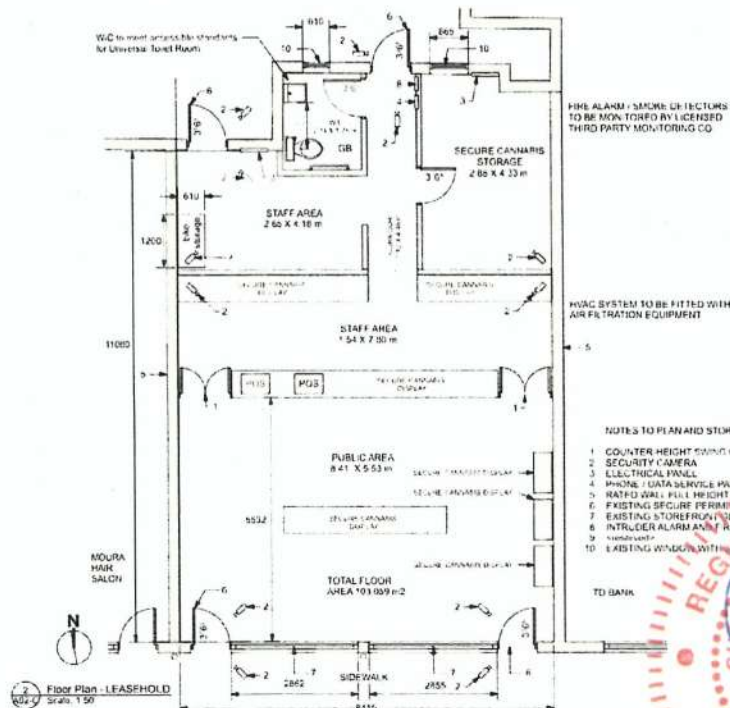


JAN 02 2019

Planning & Development Department
Development Services Division



LOCATION PLAN 1:5000 SHOWING 400m RADIUS FROM RETAIL LOCATION
NO OTHER CANNABIS RETAIL WITHIN 400m RADIUS OF PROPOSED LOCATION
NO SCHOOL LOCATED WITHIN 200 m OF PROPOSED LOCATION



FRONT ENTRANCE STOREFRONT - PROPOSED



REAR (STAFF ONLY) ENTRANCE STOREFRONT PROPOSED

PROJECT INFORMATION	
RC BUILDING CODE 2012	ADDRESS
	155-156 HARRIS BLVD ROAD, VICTORIA BC
LEGAL DESCRIPTION	
LOT 1 SECTION 18 VICTORIA DISTRICT PLAN 19772	
OWNER	as Marikis Property Services Inc 200-815 West Hastings Street Vancouver BC V6E 2V4
ARCHITECT	as Hogg & Kewell Architects 897 Abbott Street Victoria BC V8T 1A6
APPLICANT	Passmore Holdings Ltd 10412 Highland Ave Langley BC V3A 1K6
DEVELOPER	G.R. & Marikis
CLASSIFICATION	3.2.2 Group E up to 27 Storeys General Main Building Area 3,000 and 11 Storeys Construction Classification permitted Floor Assembly 45 minutes FRS Roofing Slabbing 45 Minute FRS
SEPARATION OF SITES	
	Site 1: Downwind Tides 45 Minute FRR (3.1.1.1.1.2)
EXISTING	2 acres provided - maximum travel distance of 100 (3.2.2.1.1.1) Actual Travel Distance = 11.65 m
DOCUMENT LOAD	
	13.0 (3.2.6.1.1) up to 31.63 m/s
WINDLOADS	One Urban windward protection gap (3.2.2.1.1.1) and (4); and also a Sheltered Downwind gap (3.2.2.1.1.1)
PROJECT INFORMATION	
SEIZING	C-1000 (3) Seizure Control District
SITE ZONING	
SITE AREA	14.88 50 m2
LEASABLE AREA	103.58 m2
VEHICLE PARKING	StrataCo - Village Centre - Rates 133 (3.2.6.1.1.1) - 133 spaces for residential use 214 spaces including 100 for vehicles proposed - under 100 for disabled parking reductions
CYCLE PARKING	1 long term space (1 per 200) plus 100 in suite plus 100 in suite (1 per 200) provided 184 total (on site)

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Pacificanna Retail
Fairfield Road
Victoria BC

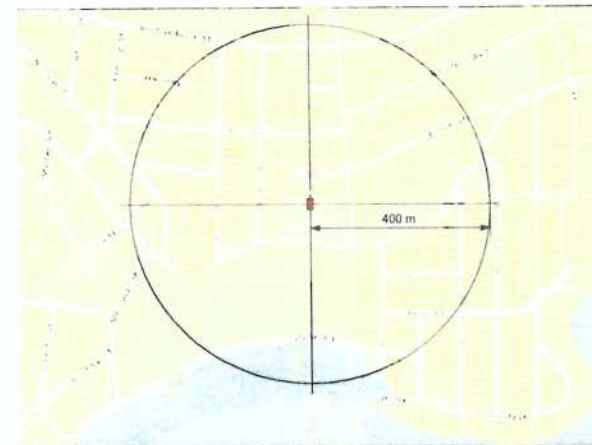
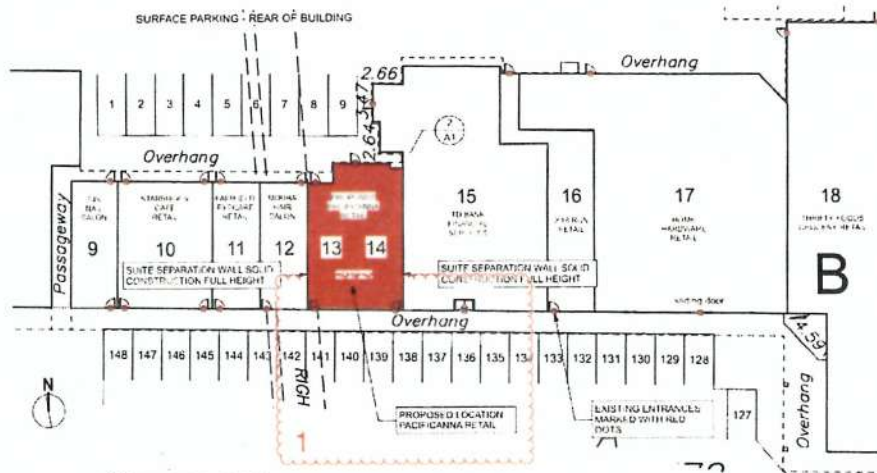
Site Plan - BLDG B
Floor Plan &
Storefronts

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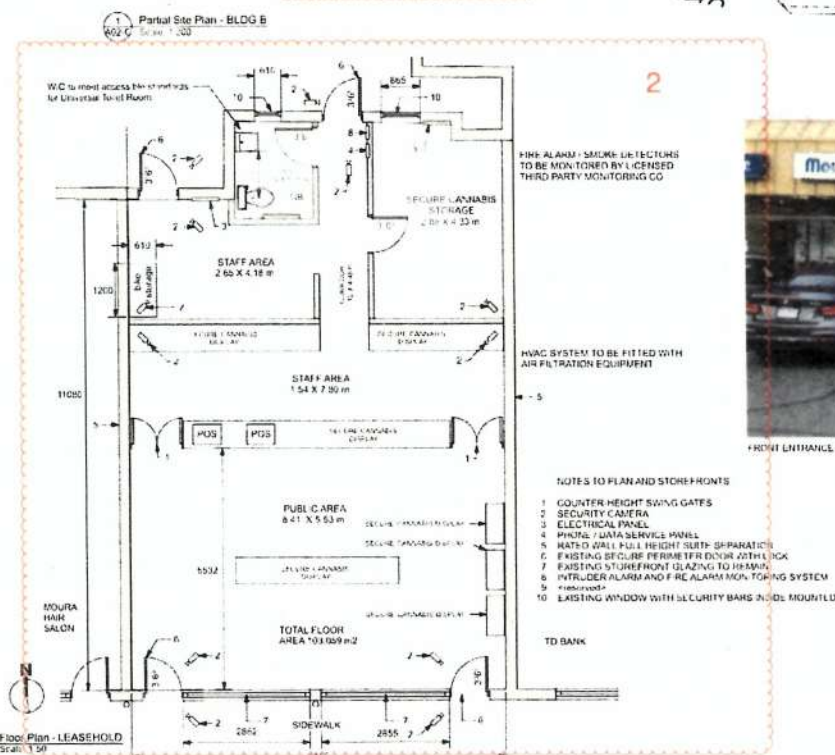
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JAN 02 2019

Planning & Development Department
Development Services Division



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FRONT ENTRANCE STOREFRONT - PROPOSED



REAR (STAFF ONLY) ENTRANCE STOREFRONT PROPOSED

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Pacificanna Retail
Fairfield Road
Victoria BC
Site Plan - BLDG B
Floor Plan &
Storefronts

A02-C R1

Dr. Ming Z. Zhang, *University of Illinois at Chicago*
 677 S. Morgan St., Chicago, IL 60607
 Phone: 312.996.3111
 Fax: 312.996.3111
 E-mail: zhang@uic.edu



November 30th, 2018

City of Victoria
1 Centennial Square
Victoria, BC. V8W 1P6
Canada

Re: Storefront Cannabis Retailer Rezoning Application, 1516 Fairfield Rd., Victoria, BC.

Attention: Mayor Lisa Helps and Members of Council

On behalf of Pacificanna Holdings Ltd. I want to thank you for the opportunity to present information about our proposed retail cannabis store. As part of our Storefront Cannabis Retailer Rezoning application package, we are submitting this letter detailing the aspects of our proposed store for your consideration.

Description of Proposal/City Policy

Our proposed location is 1516 Fairfield Road, within units 13 & 14 of the Fairfield Village plaza. Our submission complies with all provisions of the Storefront Cannabis Retailer Rezoning policy, and is located:

- Within a large urban village as identified in the Official Community Plan
- Within a commercial area as identified in the Fairfield Neighborhood Plan
- At least 200m from a public or independent elementary, middle or secondary school
- At least 400m from another lot where a storefront cannabis retailer is permitted
- With proper vehicle and bicycle parking which is applicable to retail stores as outlined in Schedule C of the Zoning Regulation Bylaw

Project Benefits/Neighborhood/Impacts

The next closest retail cannabis store currently sits over 1km away from Fairfield Village, with our store filling the gap in an underserved neighborhood. We expect to employ 6-8 staff and would be operating in the "District Centre" of the Fairfield neighborhood, providing a new service in the plaza that contains a wide mixture of tenants. Being located within the busy centre we expect to compliment/improve conditions on surrounding businesses, and with limited hours of operation do not expect to have any negative impacts on our immediate neighbors.

The principles involved in the proposed cannabis store have extensive experience in many sectors including retail and hospitality. In particular they have successfully retailed a controlled substance for 25+ years (liquor) across British Columbia, including here in the City of Victoria.

Design/Safety and Security

As part of the Fairfield Village plaza we are not proposing to make any modifications to the external façade of the building and will stay within the Urban Design Guidelines of the Fairfield neighborhood. The safety and security of our staff, customers, and neighborhood is paramount. Our proposed floor plan was designed with clear sight-lines in mind, and we will also be installing the following security features:

- Video surveillance to monitor all entrances/exits and the interior of the store at all times
- Security and fire alarm system monitored by a third party
- Safe to securely store all inventory and cash

Transportation

Our proposed unit meets the vehicle and bicycle parking standards of Schedule C – Off Street Parking Regulations. Our store can also be accessed via the bus route that runs along Fairfield Street.

Heritage

Fairfield Village does not have a heritage designation.

Thank you again for this opportunity and we look forward to working with you.

Sincerely,

A handwritten signature in blue ink that reads 'Dan Sanders'.

PacifiCanna Holdings Ltd.



MARTELLO
Trusted Real Estate Advisors

ATTACHMENT E

200 – 808 West Hastings Street
Vancouver, BC
V6C 2X4
604 681 6544
www.martello.group

December 18, 2018

City of Victoria
Sustainable Planning and Community Development
1 Centennial Square
Victoria, BC. V8W 1P6
Canada

Re: Storefront Cannabis Retailer Rezoning Application, 1516 Fairfield Rd., Victoria, BC

To Whom it May Concern:

We are not willing to provide an SRW at this time given there is no change in use at the property. However, in the future we will consider providing SRWs alongside a full redevelopment of the shopping centre.

Per: LLRC Investments Ltd.

Name: Wayne Smithies

Per: Asset Manager

MARTELLO PROPERTY SERVICES INC.

Wayne Smithies
President