



- the proposal is inconsistent with the Mixed-Use Residential Commercial & Institutional (2 to 3 storeys) designation in the *North Park Local Plan*, as it does not encourage a strong shopping presence with a positive street relationship. However, the proposal is consistent with increasing the provision of a range of human services and responding to identified gaps in service
- the proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy*, as there is a property zoned for storefront cannabis retailer 37m from the subject property.

## **BACKGROUND**

### **Description of Proposal**

The proposal is to temporarily permit the distribution of cannabis as an ancillary use to a harm reduction service. The harm reduction service is a permitted use within the professional office category in the current CR-4 Zone, Upper Cook Commercial-Residential District. However, under the *Zoning Regulation Bylaw* providing cannabis to patrons on-site is technically defined as a storefront cannabis retailer, which is not a permitted use. The applicant is seeking a Temporary Use Permit, for a period of three years, to continue a pilot project that gives members cannabis to reduce opiate use and assist with symptoms of withdrawal.

### **Sustainability**

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

### **Active Transportation**

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

### **Public Realm**

No public realm improvements beyond City standard requirements are proposed in association with this Temporary use Permit Application.

### **Existing Site Development and Development Potential**

The site is presently a collection of adjoined one to two storey buildings with commercial uses on the ground floor and residential on the upper storey. A harm reduction service without provision of cannabis is permitted under the current CR-4 Zone, Upper Cook Commercial-Residential District.

### **Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on April 6, 2020 the application was referred for a 30-day comment period to the North Park CALUC. In addition, the applicant attended a CALUC meeting on January 16, 2020. A letter dated January 22, 2020 and an email dated July 22, 2020 are attached to this report.

In an attempt to address neighbourhood feedback, the applicant has identified in the Letter to Mayor and Council (Attachment D) that a street ambassador completes regular walks of the block to ensure clients are appropriately using the area and discourages congregation on the

sidewalks. The recommendation would secure this position as a condition of the Temporary Use Permit, to which the applicant is amenable.

## **ANALYSIS**

### **Official Community Plan**

The *Official Community Plan* (OCP) identifies the property within the Large Urban Village designation, within which commercial uses and community services frame the sidewalk. In addition, Section 15: Community Wellbeing aims to address problematic substance abuse through a coordinated method using a Five Pillars approach that:

1. Prevents problematic substance abuse;
2. Reduces harm to individuals and communities from the sale and use of both legal and illegal substances;
3. Provides a range of support services, specialized care facilities and treatment programs for people who have addictions;
4. Supports access to safe, affordable and quality housing; and,
5. Delivers enforcement services to support community peace, public order and safety.

### **North Park Local Plan**

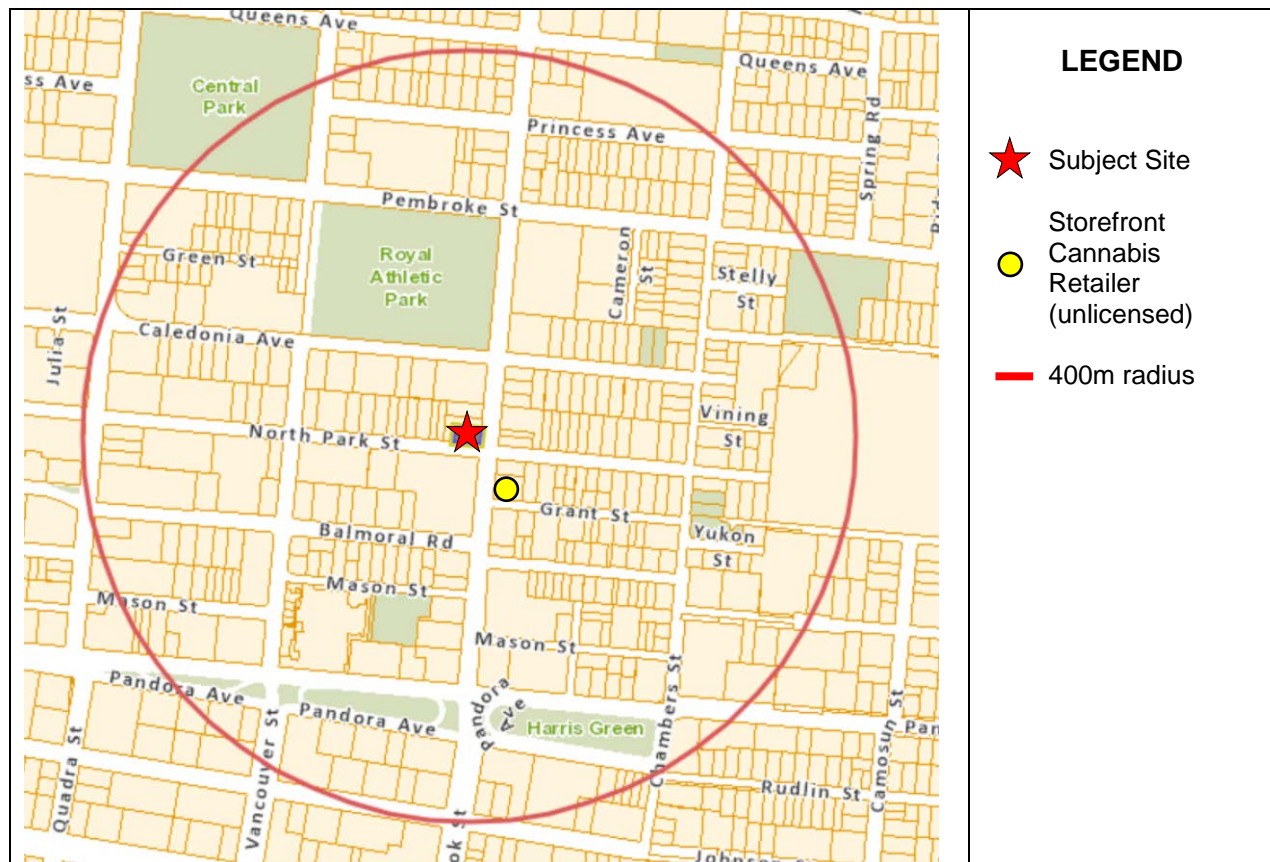
The *North Park Local Plan* identifies the site as Mixed-Use Residential Commercial and Institutional (2 to 3 storeys), which envisions a strong shopping presence with positive street relationships for pedestrians. The proposal is inconsistent with this policy as it has no shopping presence and currently has a negative street relationship for pedestrians. Conversely, the *Plan* also encourages increasing the provision of a range of human services and response to identified gaps in service, while furthering a safe, secure, healthy, and accessible environment, so in this regard, the application is consistent with the *North Park Local Plan*.

### **Storefront Cannabis Retailer Rezoning Policy**

The application is to permit the provision of cannabis as part of a harm reduction service that is piloting the substitution of cannabis for opioids to address problematic opioid abuse. The *Zoning Regulation Bylaw* defines a storefront cannabis retailer as “premises where cannabis is sold or otherwise provided to a person who attends at the premises”. Therefore, the *Storefront Cannabis Retailer Rezoning Policy* is applicable and the requirement for a Rezoning or Temporary Use Permit is triggered.

The proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy* as there is one property within 400m of the subject property that has storefront cannabis retailer as a permitted use: 1725 Cook Street is 37m away; however, it does not have a provincial license nor does it appear to be operational. There are no public or independent elementary, secondary, or high schools within 200m of the property.

In this instance, staff recommend that Council consider varying from the *Storefront Cannabis Retailer Rezoning Policy*, as the proposal is for a pilot project that is an ancillary component to a harm reduction service, rather than a for-profit cannabis retailer. In addition, the property within 400m that is zoned for storefront cannabis retailer does not have a provincial license and is not operational.



## CONCLUSIONS

The proposal is consistent with the Large Urban Village designation and the Five Pillars approach to substance abuse within the *Official Community Plan*. The proposal is inconsistent with the Mixed-Use Residential Commercial and Institutional (2 to 3 storeys) designation in the *North Park Local Plan*, but is consistent with the objective to increase the provision of human services and respond to gaps in service. Finally, the proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy*, as there is a property 37m away that is zoned for storefront cannabis retail. Staff recommend that Council consider supporting the application, since the proposal is for a temporary pilot project, the applicant is willing to secure a street ambassador, and the substitution of cannabis for opioids could help address problematic substance abuse. However, an alternate motion has been provided for Council's consideration.

## ALTERNATE MOTION

That Council decline Temporary Use Permit Application No. 00015 for the property located at 1802 Cook Street and 1056 North Park Street.

Respectfully submitted,

Michael Angrove  
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Development Services Division

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Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date: August 24, 2020

### **List of Attachments**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped February 19, 2020
- Attachment D: Letter from applicant to Mayor and Council dated February 18, 2020
- Attachment E: Letters from the Community Association Land Use Committee dated January 22, 2020 and July 22, 2020
- Attachment F: Correspondence (Letters received from residents).