

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the July 2, 2020 COTW Meeting

**E.1.a.b 1400 Quadra Street and 851 Johnson Street - Rezoning
Application No. 00738**

Moved By Councillor Alto
Seconded By Mayor Helps

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00738 to add storefront cannabis retailer as a permitted use at 1400 Quadra Street and remove storefront cannabis retailer as a permitted use at 851 Johnson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

FOR (6): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Dubow

OPPOSED (2): Councillor Thornton-Joe, and Councillor Young

CARRIED (6 to 2)

F. LAND USE MATTERS

F.1 1400 Quadra Street and 851 Johnson Street - Rezoning Application No. 00738 (Downtown)

Committee received a report dated July 2, 2020 from the Director of Sustainable Planning and Community Development regarding the property located at 1400 Quadra Street to add the use of store front cannabis retailer as a site-specific regulation for the zone and at 851 Johnson Street to remove the use of store front cannabis retailer as a site-specific regulation for the zone. Staff are recommending that the application be declined as there are multiple cannabis retailer properties within the 400 m zone.

Committee discussed:

- *Which businesses in the area have achieved their provincial licences and are operating.*
- *How are there 4 properties within 400 m of the subject property*
- *Difference in size between the properties*

Moved By Councillor Young

Seconded By Councillor Thornton-Joe

That Council decline Rezoning Application No. 00738 for the property located at 1400 Quadra Street.

FOR (2): Councillor Thornton-Joe, and Councillor Young

OPPOSED (3): Mayor Helps, Councillor Alto, and Councillor Potts

DEFEATED (2 to 3)

Moved By Mayor Helps

Seconded By Councillor Alto

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00738 to add storefront cannabis retailer as a permitted use at 1400 Quadra Street and remove storefront cannabis retailer as a permitted use at 851 Johnson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

FOR (3): Mayor Helps, Councillor Alto, and Councillor Potts

OPPOSED (2): Councillor Thornton-Joe, and Councillor Young

CARRIED (3 to 2)



Committee of the Whole Report For the Meeting of July 2, 2020

To: Committee of the Whole **Date:** June 18, 2020

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: Rezoning Application No 00738 for 1400 Quadra Street and 851 Johnson Street

RECOMMENDATION

That Council decline Rezoning Application No. 00738 for the property located at 1400 Quadra Street.

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 properties located at 1400 Quadra Street and 851 Johnson Street. The proposal is to rezone 1400 Quadra Street to add the use of storefront cannabis retailer as a site-specific regulation to the CBD-2 Zone, Central Business District 2, and to rezone 851 Johnson Street to remove the use of storefront cannabis retailer from the site-specific regulations of the CBD-1 Zone, Central Business District 1.

The following points were considered in assessing this application:

- the proposal is consistent with the Core Residential designation in the *Official Community Plan*, which envisions commercial uses on the ground floor
- the proposal is consistent with the Residential Mixed-Use District designation in the *Downtown Core Area Plan*, which encourages active commercial uses at-grade
- the proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy*, as there are properties within 400m that are zoned to permit storefront cannabis retailer as a use. However, this application is to move a previously approved storefront cannabis retailer across the street and subsequently amend the zoning of the initial property so that there would not be a net increase in the number of properties zoned for this use.

Although this proposal is inconsistent with Council's approved *Storefront Cannabis Retailer Rezoning Policy*, an alternate motion has been prepared if Council wishes to advance the application for consideration at a Public Hearing.

BACKGROUND

Description of Proposal

This application is to rezone 1400 Quadra Street to add the use of storefront cannabis retailer, and to rezone 851 Johnson Street to remove the use of storefront cannabis retailer. The following differences from the current zone at 1400 Quadra Street are being proposed:

- storefront cannabis retailer would be a permitted use
- only one storefront cannabis retailer would be permitted to operate on the property at a time
- storefront cannabis retailer would be restricted to a maximum floor area of 80m²
- the maximum storefront cannabis retailer store frontage facing a street would be 8.5m.

All other requirements within the CBD-2 Zone, Central Business District 2, including the site-specific regulations, remain the same.

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 Rezoning Application.

Accessibility

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

Land Use Context

The area is characterized by a mix of uses including office, commercial and residential. Alix Goolden Performance Hall is located across the street to the east and the Portland Hotel Society Residential Outreach Building is located immediately to the west.

Existing Site Development and Development Potential

The site is presently under construction. When completed, the 14-storey building will feature commercial on the ground floor and approximately 113 residential rental units.

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 Downtown Residents Association. Also consistent with the Policy, the application has been referred to School District No. 61 and the Victoria Police Department (VicPD). No responses had been received at the time of writing this report.

ANALYSIS

Official Community Plan

The proposal is consistent with the Core Residential designation in the *Official Community Plan* (2012), which envisions commercial uses.

Downtown Core Area Plan

The proposal is consistent with the Mixed-Use Residential designation in the *Downtown Core Area Plan* (2011), which encourages active retail uses at-grade.

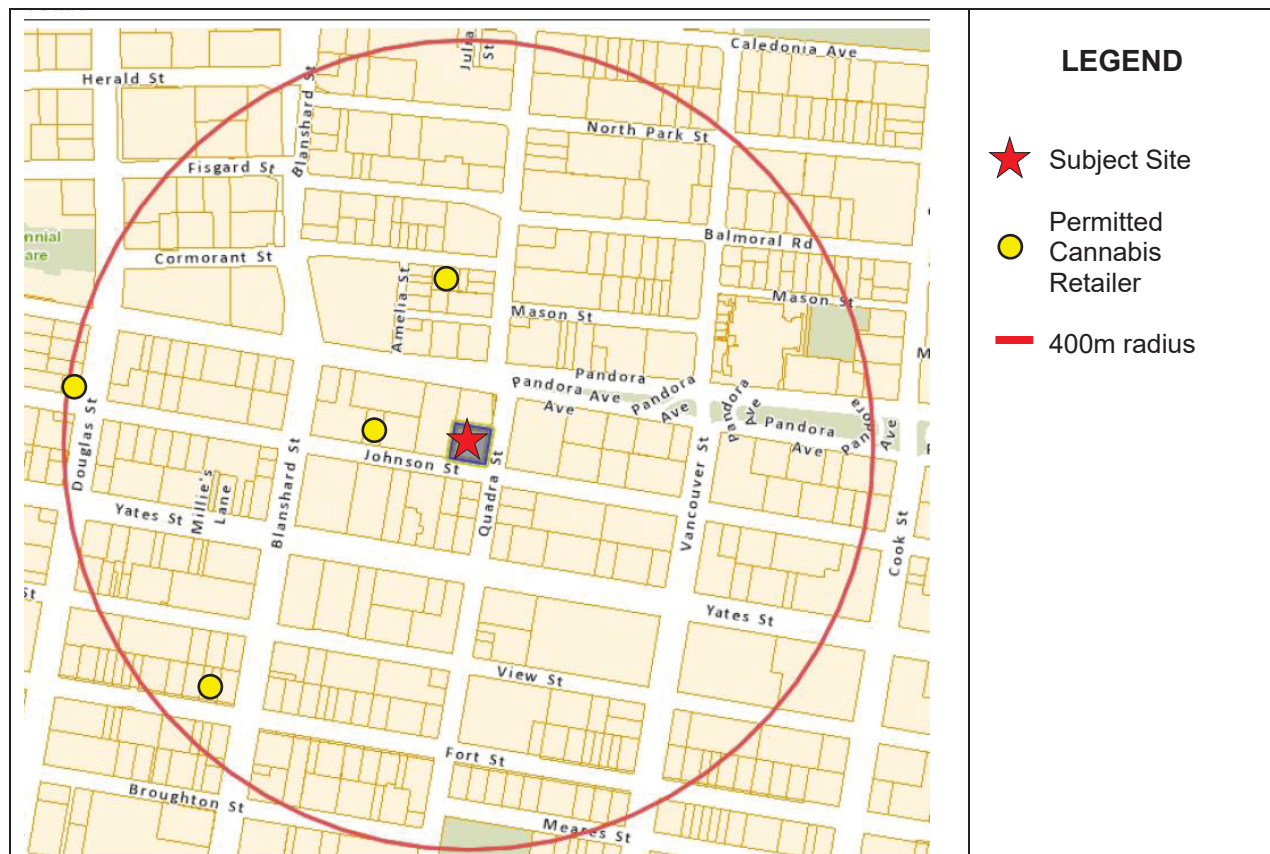
Tree Preservation Bylaw and Urban Forest Master Plan

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

Storefront Cannabis Retailer Rezoning Policy

The application is to relocate a storefront cannabis retailer use from 851 Johnson Street to 1400 Quadra Street. If Council were to approve the rezoning at 1400 Quadra Street, staff recommend subsequently amending the zoning of 851 Johnson Street. The proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy* as there are four properties within 400m of the subject property that have storefront cannabis retailer as a permitted use: 826 Johnson Street is 72m away, 853 Cormorant Street is 136m away, 778 Fort Street is 325m away, and 1402 Douglas Street is 388m. There are no public or independent elementary, secondary or high schools within 200m of the property.

As noted, the proposal is to relocate a previously approved storefront cannabis retailer from 851 Johnson Street across the street to 1400 Quadra Street. The *Storefront Cannabis Retailer Rezoning Policy* notes that Council can vary from the 400m separation distance between retailers based on circumstances of a specific application. As such, staff have provided an alternate motion for Council's consideration.



CONCLUSIONS

The proposal to permit the storefront cannabis retailer use is consistent with the *Official Community Plan* and the *Downtown Core Area Plan*. The proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy* as there are four other properties within 400m that permit the use of storefront cannabis retailer. However, the proposal is to move a previously approved retailer across the street at 1400 Quadra Street and amend the zoning of the initial property at 851 Johnson Street. As such, an alternate motion has been provided for Council's consideration.

ALTERNATE MOTION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00738 to add storefront cannabis retailer as a permitted use at 1400 Quadra Street and remove storefront cannabis retailer as a permitted use at 851 Johnson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Respectfully submitted,

Mike Angrove
Senior Planner
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

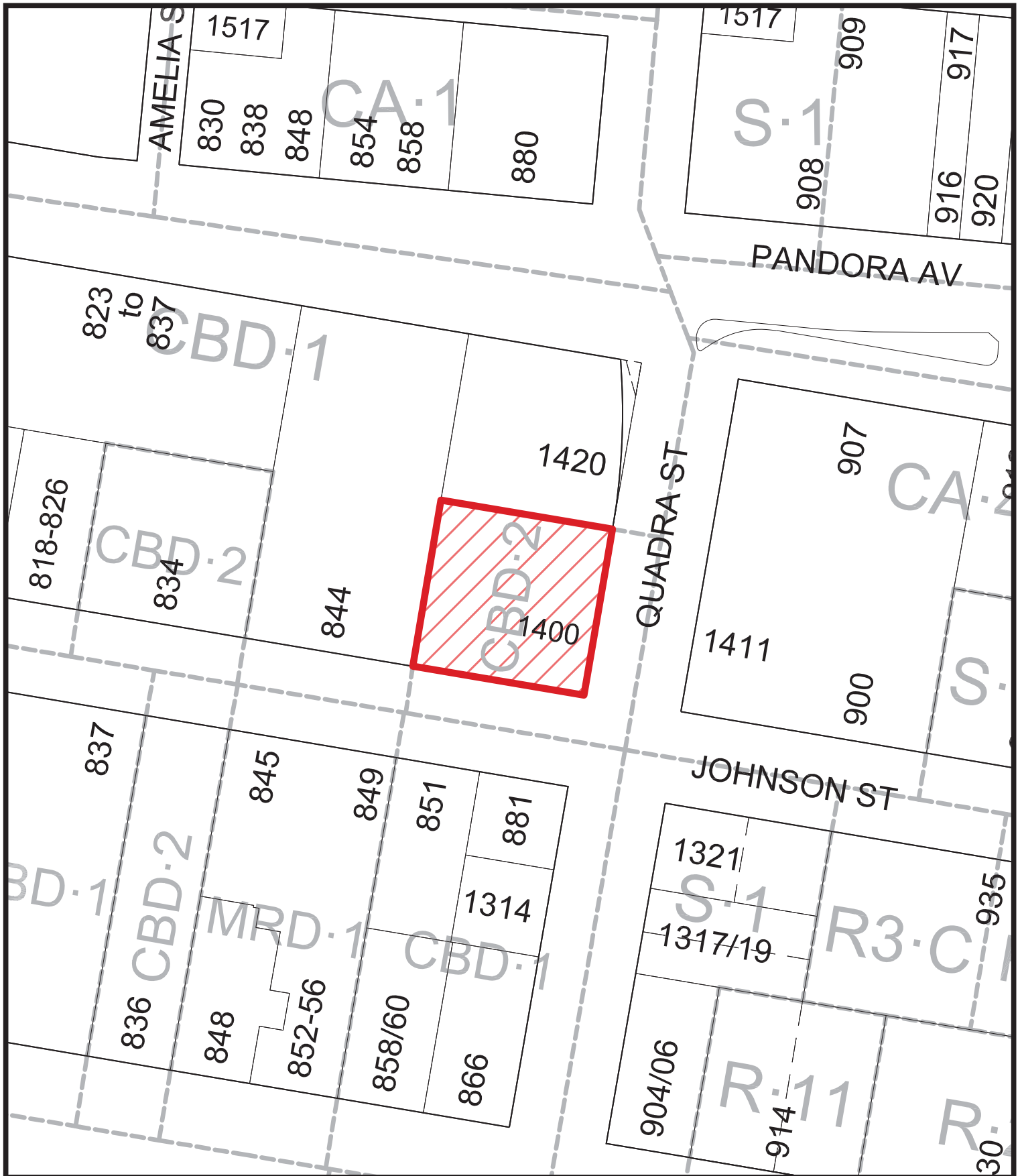
Report accepted and recommended by the City Manager:



Date: June 25, 2020

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped June 2, 2020
- Attachment D: Letter from applicant to Mayor and Council dated April 24, 2020.



1400 Quadra Street
Rezoning No.00738





1400 Quadra Street
Rezoning No.00738



Clarity Cannabis BC Ltd.
Victoria, BC, 1400 Quadra Street



Drawing Index

- A000 Title Sheet
- A001 Legends & Schedules
- A002 Site Plan
- A101 Main Floor Plan

Revision Issued
June 2, 2020

PROJECT Clarity Cannabis BC Ltd. Victoria, BC (1400 Quadra Street)		DRAWING Title Sheet	
CLIENT Clarity Cannabis BC Ltd.			
DATE 1/18/2020			
FILE C2016-0026			
DRAWING E01			
CHECKED BY PFA			
DRAWING No.			
A000			
Revision Schedule			
Revision	Revision	Revision	Revision
1	2	3	4
ENGINEER UCC			



CLIENT
Clarify Cannabis BC Ltd.
(1400 Quadra Street)

PROJECT
Site Plan

DATE: 11/03/2018
FILE: C2011-0028
DRAWN: EBR
CHECKED: JPS

SCALE: As Indicated

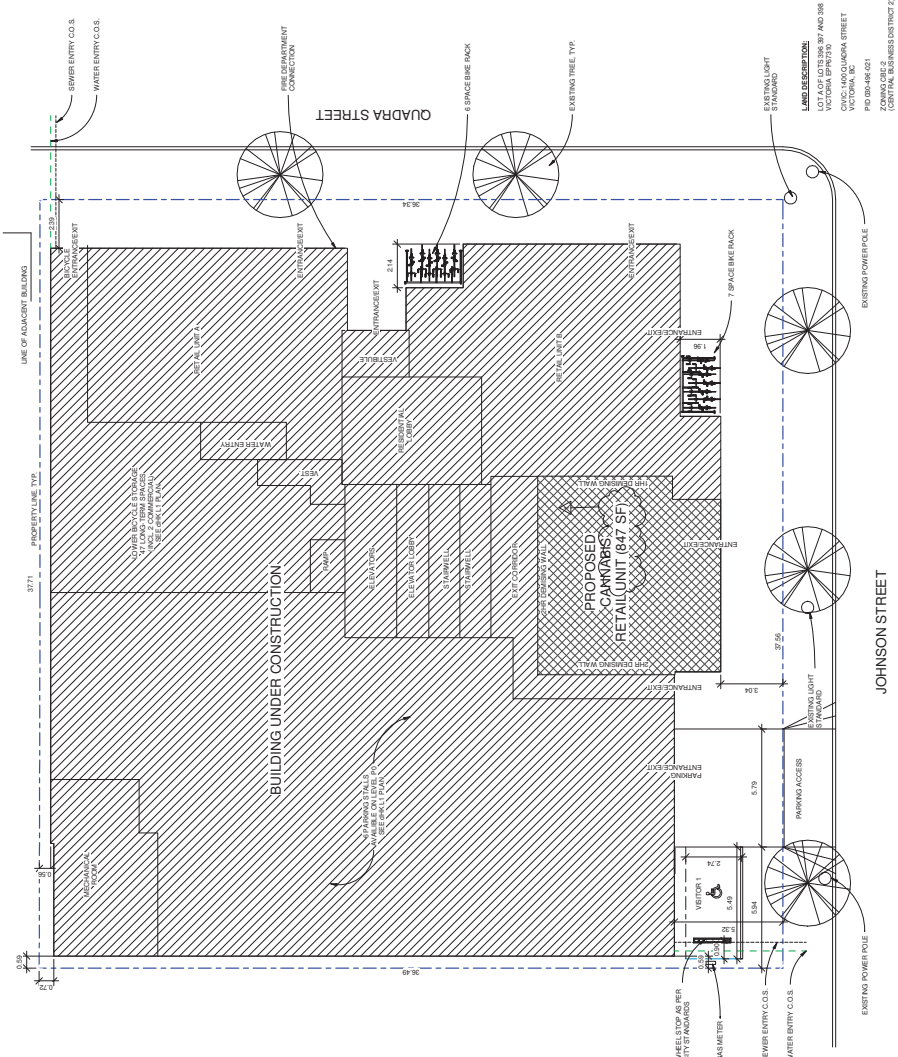
PROJECT INFORMATION
NAME: 1400 QUADRA STREET
ADDRESS: 1400 QUADRA STREET
CITY: VICTORIA, BC
PROJECT NO.: 1400 QUADRA STREET
PROJECT TYPE: COMMERCIAL/RETAIL

ENGINEER

Revision	Description	Revised Date
1	Revised Schedule	11/03/2018

ENGINEER'S DECLARATION
I, the undersigned, being a duly qualified and licensed professional engineer, do hereby certify that I am the author of this plan and that it was prepared by me or under my direct supervision and that I am a duly qualified and licensed professional engineer under the Engineering Act of British Columbia.

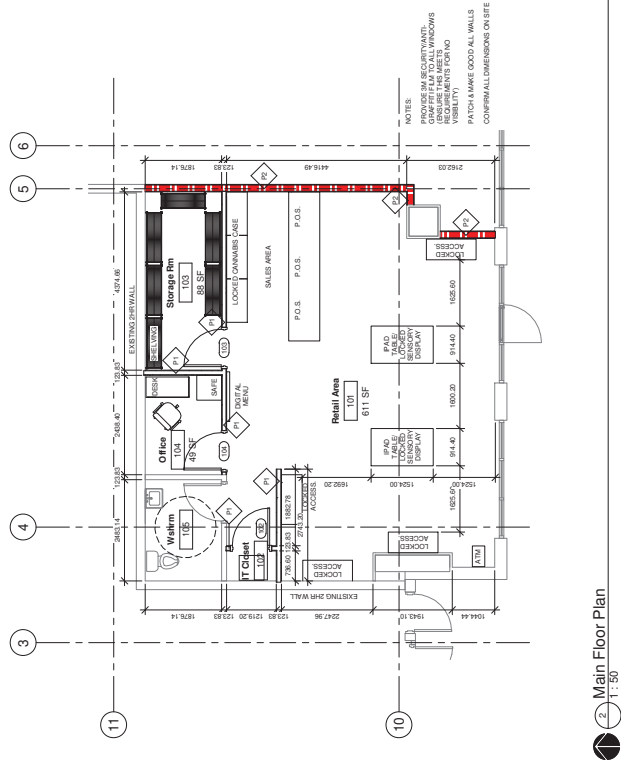
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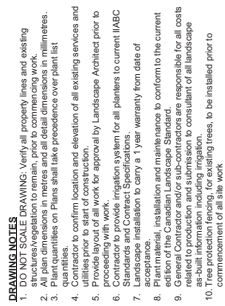


PROJECT INFORMATION
NAME: 1400 QUADRA STREET
ADDRESS: 1400 QUADRA STREET
CITY: VICTORIA, BC
PROJECT NO.: 1400 QUADRA STREET
PROJECT TYPE: COMMERCIAL/RETAIL

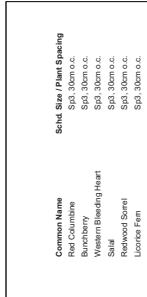
ENGINEER'S DECLARATION
I, the undersigned, being a duly qualified and licensed professional engineer, do hereby certify that I am the author of this plan and that it was prepared by me or under my direct supervision and that I am a duly qualified and licensed professional engineer under the Engineering Act of British Columbia.

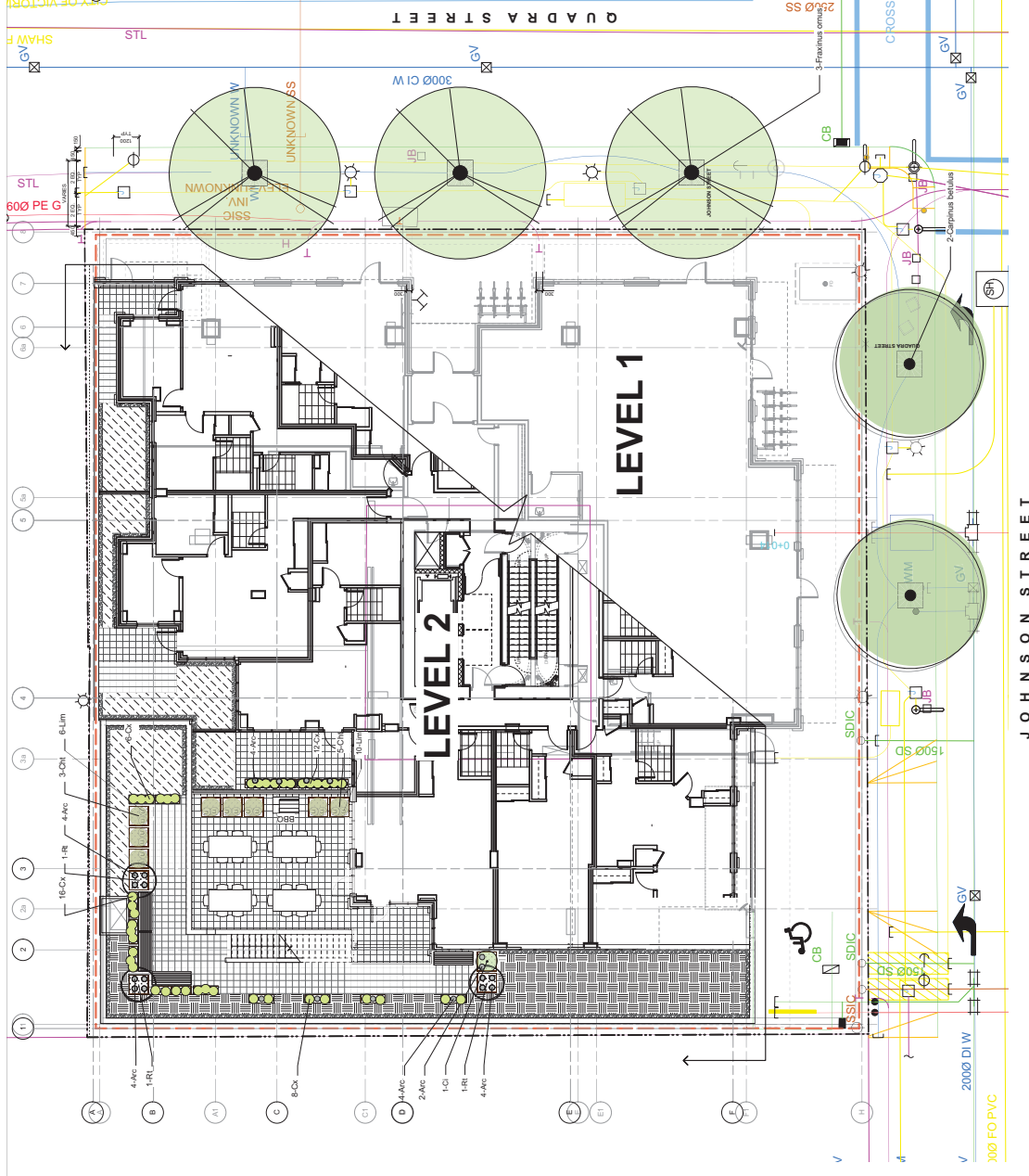
UCC



Landscape Materials & Layout Plan - Level 1

ALL DRAWINGS TO BE READ IN ASSOCIATION WITH LANDSCAPE SPECIFICATIONS DOCUMENT.





PLANT LIST - LEVEL 1		
Sym	Botanical Name	Common Name
1	Carpinus betulus	European Hornbeam
2	Fraxinus omnis	Flowering Ash
PLANT LIST - LEVEL 2		
3	Rosa lychnis	Shagbark Sumac
4	Arctostaphylos uva-ursi	Kornelkruik
5	Campanula medium	Peacock Bell
6	Chamaecyparis nivalis	Rock Rose
7	Lilium	Lily

GREEN ROOF PLANT LIST - LEVEL 2		
PRE-VEGETATED MAT:		
SEMI-ARID SPECIES FOR SUN AREAS - Total Vegetated Area: 50.812 sqm		
1	Sedum obovatum	Sp. 30cm o.c.
2	Sedum album 'Coral Carpet'	Sp. 30cm o.c.
3	Sedum laetevirens	Sp. 30cm o.c.
4	Sedum spectabile	Sp. 30cm o.c.
5	Sedum album	Sp. 30cm o.c.
PLANT SPECIES FOR SHADE AREAS:		
Common Name		
1	Red Columbine	Sp. 30cm o.c.
2	Burkholderia	Sp. 30cm o.c.
3	Western Bleeding He	Sp. 30cm o.c.
4	Reinforced Soil	Sp. 30cm o.c.
5	Looseleaf Fern	Sp. 30cm o.c.

NOTES FOR PRE-VEGETATED MAT:

- PLANT SPECIES TO BE PRE-GROWN ON MATS OR TILES WITH SPECIES PROPORTIONS AS INDICATED. CHANGES TO SPECIES AND/OR COMPOSITION SHALL REQUIRE APPROVAL BY LANDSCAPE ARCHITECT AND CLIENT.
- PRE-VEGETATED MATS SHALL ACHIEVE 80% PLANT COVERAGE AT TIME OF SUPPLY AND 90% COVERAGE AT 12 MONTHS POST ACCEPTANCE.
- 1 YEAR MAINTENANCE AS PER THE SUPPLIERS SPECIFICATION.

rev	no	description	date
1	1	REVISED FOR CLIENT COMMENTS	17 SEP 2019
2	2	REVISED FOR CLIENT COMMENTS	17 SEP 2019
3	3	REVISED FOR CLIENT COMMENTS	17 SEP 2019
4	4	REVISED FOR CLIENT COMMENTS	17 SEP 2019
5	5	REVISED FOR CLIENT COMMENTS	17 SEP 2019
6	6	REVISED FOR CLIENT COMMENTS	17 SEP 2019
7	7	REVISED FOR CLIENT COMMENTS	17 SEP 2019
8	8	REVISED FOR CLIENT COMMENTS	17 SEP 2019
9	9	REVISED FOR CLIENT COMMENTS	17 SEP 2019
10	10	REVISED FOR CLIENT COMMENTS	17 SEP 2019



client	ALPHA PROJECT DEVELOPMENTS LTD. 210-727 YATES STREET VICTORIA, BC
project	# 1400 QUADRA STREET, VICTORIA, BC
sheet title	Planting Plan -
project no.	11721
scale	1:100 @ 24x36"
drawn by	MJ/DTB
checked by	SM/PM
revision no.	sheet no.
L3.01	

PLANTING NOTES

- Plant quantities and species may change between issuance of DP and final landscape plan.
- Green roof to be pre-vegetated with species as indicated on plan.
- Green roof to be pre-vegetated with species as indicated on plan.
- Green roof to be pre-vegetated with species as indicated on plan.

ALL DRAWINGS TO BE READ IN ASSOCIATION WITH LANDSCAPE SPECIFICATIONS DOCUMENT.



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The applicant's pharmaceutical background and knowledge has helped them implement and put into place initiatives that design the retail store in such a way that focus on patron control, public safety control, and minor prevention.

As such, the applicant will put further measures in place to ensure the store design incorporates CPTED principals to deter and further mitigate crime issues. These will include Natural Surveillance, Natural access and control, territorial reinforcement, and maintenance.

Specifically, the applicant is proposing:

Natural surveillance

- To install both interior and exterior audible and visual security system that are to be monitored both at store level and remotely for added security.
- There is little to no landscaping in front of the proposed unit. This allows for clear street sight lines and visual surveillance.
- Front doors of all businesses will be well lit and have key lighting placed to highlight the access points both in the rear and front of the retail store.
- Staff on site have been trained to detect and monitor nuisance behavior the company holds a no loitering policy as well as a zero tolerance for onsite consumption policy. Staff will have sight lines to review/ patrol the perimeter of the parking area and building.
- Interior space has been designed to create an open concept for easy shopping. There are low tables with smell jars. The room has been developed to add flow and movement to the consumer so each guest can be engaged with an active team member to mitigate interior theft and deter negative behaviors.
- The layout has been developed to allow staff to engage guests one on one to ensure each person who accesses the business is assisted and ultimately monitored.
- Product is mandated by the province to be locked and secure. Only staff with keys are permitted to access.
- Inventory is brought in on a weekly basis to ensure on site storage amounts are generally low but can still meet consumer demand
- Staff have emergency buttons in place and can access both the executive team and local authorities if required at any time.
- All inventory is kept in a secure locking storage that is monitored.
- Low amounts of cash are kept on hand with deposits being reconciled at shift changes



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April 24th, 2020

City of Victoria

1 Centennial Square
Victoria, B.C. V8W 1P6
Canada

RE: Storefront Cannabis Retailer Rezoning Application, 1400 Quadra Street, Victoria, B.C.

Attention: Mayor Lisa Helps and Members of Council

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

Description of Proposal/City Policy

This site, recently rezoned CBD-2 (Central Business District-2 zone) through a separate Rezoning Application by the Owners and Landlord of the proposed location, who supports this application.

Our proposed location of 1400 Quadra Street, approximately 1,014 sq ft on the ground floor commercial space being constructed and completed approximately 2021. Our submission complies with all provisions of the Storefront Cannabis Retailer Rezoning policy, and is located:

- Within a Core Business urban place as identified in the Official Community Plan
- Within a secondary commercial centre area as identified in the Harris Green 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 and licensed with LCRB.
- With proper vehicle and bicycle parking which is applicable to retail stores as outlined in Schedule C of the Zoning Regulation Bylaw and Zoning Bylaw 2018



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The proposed location conforms to the Storefront Cannabis Retailer policy with expectation of its proximity to two other storefronts. As measured in Google Maps, the approximate distances are as follows:

- 150 metres to the Victoria Cannabis Buyers Club, 826 Johnson Street
- 270 metres to the CraftPro, 1321 Blanshard Street, #301

Clarity Cannabis is currently located across the street at 855 Johnson Street, and will be submitting the appropriate relocation application with the LCRB for the proposed new location. As such, in order for the LCRB to consider the application, the local government and/or Indigenous nation for the area in which the store is proposed to be located or is located will, in most cases, be required to provide a recommendation that the licence be issued or amended.

Project Benefits/Neighborhood/Impacts

There are no Public schools in Harris Green district.

As an experienced industry-leading pharmacist and entrepreneur (with over 18 years experience), Clarity Cannabis serves to offer safe and informed access to adult-use cannabis.

The next closest licensed retail cannabis store currently sits over 450m away from the proposed location, with our current store relocating from 855 Johnson Street to the new proposed location and continue to support and serve the Harris Green neighborhood. We expect to employ 10-12 staff and would be operating within the "Alpha Rental Project" of the Harris Green neighborhood, providing a new service in the building 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 neighbours.

The principle involved in the proposed relocation of cannabis store has extensive experience in many sectors including retail and pharmaceutical. In particular they have successfully retailed a controlled substance for over 2 years (cannabis) across British Columbia, including here in the City of Victoria.

Environmental benefits include recycling of plastics and tins, scent-free work environment. Our team has joined the green initiative and secured a contract with a recycling company to encourage recycling all cannabis packaging and decrease the environmental impact.

Nuisance behaviours

Nuisance behaviour in and around the proposed site are not permitted. Clarity Cannabis does not support queuing to enter the location or loitering around the vicinity of the store. To mitigate this



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behaviour, there will be surveillance systems in place to monitor both the exterior and interior of the location.

Clarity Cannabis team members are trained to detect intoxicated patrons. As part of the Provincial requirements, any guest who appears to be under the influence of drugs or alcohol must not be permitted to remain within the license area. As part of Clarity Cannabis's best practices, staff have been trained to detect and enforce a zero-tolerance policy with respect to intoxicated patrons.

Guests will be denied services and immediately requested to leave, should this occur. The staff will also document and report any and all issues to the executive team.

Design/Safety and Security

As part of the new construction for proposed location, 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 Harris Green 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. The alarm control panel will be located in the same location as the camera recorder and will also be in a secure locked cabinet. This system will be a 24/7 monitored system, it can notify the alarm center via cellular and analog phone
- Safe to securely store all inventory and cash

Crime Prevention Through Environmental Design (CPTED)

Clarity Cannabis implements operational measures within its store and has reviewed the site company, to provide a detailed security plan to continuously improve upon their strategies. The security plan is not a provincial requirement; however, Clarity Cannabis takes pride in ensuring best practices are implemented within its business and will take additional steps to become an industry leader with exceptionally high standards focused around safety, security and consumer education.

Design Elements of the store based upon CPTED

The proposed space is located within a shopping complex within the Harris Green neighborhood of Victoria. The applicant and neighboring business communities' work together to ensure public safety standards are optimized.



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Territorial reinforcement/Lighting Details

- Building entrances will be accentuated with lighting and will be well lit into the evening hours and post-closing
- Walkways have pedestrian scale lighting to ensure no night threats
- Interior of the business will be well lit and offer an inviting shopping experience
- Ongoing lighting maintenance will be conducted. Staff are to visually inspect both the exterior including the parking areas. Interior lighting will be kept in working order.

Ongoing Maintenance

- On a quarterly basis the executive team will review the security plan in place. Part of Clarity Cannabis's best practice's guidelines created by the company allow the team to quickly adapt based upon need and any potential issues that have been highlighted.
- Staff are provided with logbooks to detail and comment on any issues. These are continually reviewed by management.

Transportation

Our proposed unit is within a new development and 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 Johnson Street and Quadra Street.

Heritage

The proposed location does not have a heritage designation.

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

Sincerely,

Clarity Cannabis BC Ltd.

Per: 

1

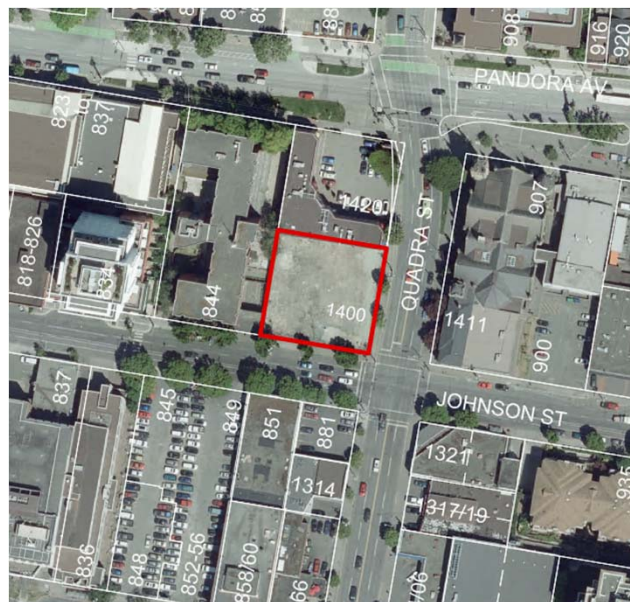
Rezoning Application for 1400 Quadra Street & 851 Johnson Street



1

2

Aerial View



2

Subject Site

3



3

4



Proposed Location



4

Neighbouring Property

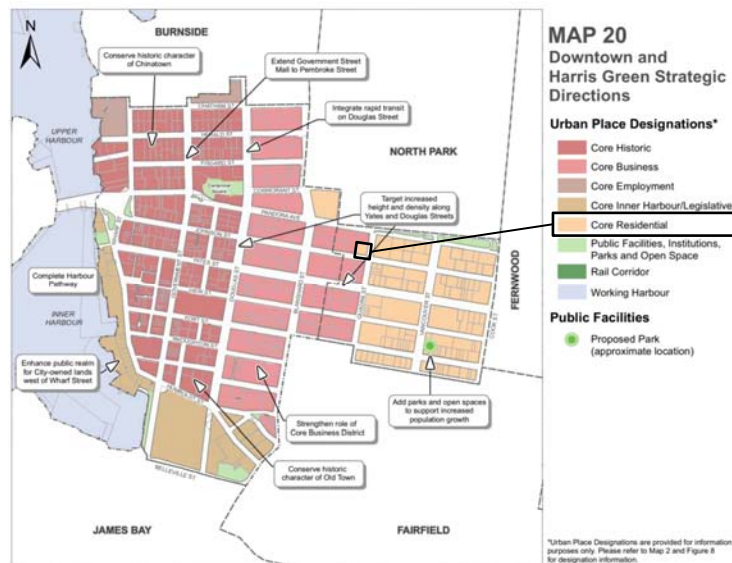
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5

Official Community Plan

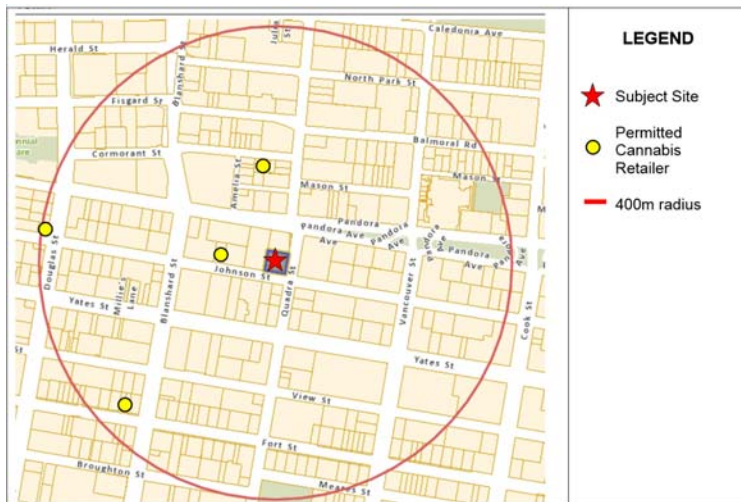
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6

Distances from Other Retailers

7



To whom it may concern.

Date: 29/04/2020

Clarity Cannabis has been operating at the location of 851 Johnson Street since _____, 2019.

To the best of my knowledge there have been no problems, no loitering and no use of product inside or outside the storefront. We fully support its proposed relocation (across the street) to 1400 Quadra Street and having Clarity Cannabis continue to be a member of the Green Harris Community.

I/We believe that Clarity Cannabis is run in a Professional manor, proving a safe and clean environment.

NAME: Jesús Lozano-Villorreal

Position: Project Manager

Business: PHS Community Services

Signature

Address: 844 Johnson Street.

Victoria BC V8V 1N3