F.1.a.a 3198 Quadra Street - Rezoning Application No. 00808 (Hillside/Quadra)

Moved By Councillor Young **Seconded By** Councillor Potts

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00808 for 3198 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a public hearing date be set, subject to the preparation of legal agreements executed by the applicant to secure a Statutory Right-of-Way (SRW) of 3.20m on Quadra Street and of 0.86m on Tolmie Avenue, with the form and contents to the satisfaction of the Director of Engineering and Public Works and the City Solicitor.

CARRIED UNANIMOUSLY

E.1 3198 Quadra Street - Rezoning Application No. 00808 (Hillside/Quadra)

Committee received a report dated June 16, 2022 from the Director of Sustainable Planning and Community Development regarding an application to rezone an existing building from the C1-S Zone, Limited Commercial Service Station District, to a site-specific zone in order to permit a storefront cannabis retailer.

Councillor Andrew joined the meeting at 9:08 am.

Committee discussed:

Notification to the neighbouring municipality and residents.

Moved By Councillor Andrew **Seconded By** Councillor Potts

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00808 for 3198 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a public hearing date be set, subject to the preparation of legal agreements executed by the applicant to secure a Statutory Right-of-Way (SRW) of 3.20m on Quadra Street and of 0.86m on Tolmie Avenue, with the form and contents to the satisfaction of the Director of Engineering and Public Works and the City Solicitor.

CARRIED UNANIMOUSLY



Committee of the Whole Report

For the Meeting of June 30, 2022

To: Committee of the Whole **Date:** June 16, 2022

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

Subject: Rezoning Application No. 00808 for 3198 Quadra Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00808 for 3198 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a public hearing date be set, subject to the preparation of legal agreements executed by the applicant to secure a Statutory Right-of-Way (SRW) of 3.20m on Quadra Street and of 0.86m on Tolmie Avenue, with the form and contents to the satisfaction of the Director of Engineering and Public Works and the City Solicitor.

LEGISLATIVE AUTHORITY

This report discusses a rezoning application. Relevant rezoning considerations include the addition of a storefront cannabis retailer as a permitted use.

Enabling Legislation

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 3198 Quadra Street. The proposal is to rezone from the C1-S Zone, Limited Commercial Service Station District, to a site-specific zone in order to permit a storefront cannabis retailer.

The following points were considered in assessing this application:

 The proposal to permit a storefront cannabis retailer is consistent with the Small Urban Village designation in the Official Community Plan, 2012 (OCP), which envisions groundlevel commercial uses.

- The Hillside-Quadra Neighbourhood Plan, 1996, did not anticipate any changes for the commercial area in which the subject property is located; however, the draft plan for Hillside-Quadra that is currently being considered by Council identifies the property as within a Small Urban Village at the intersection of Quadra Street and Tolmie Avenue.
- The proposal is consistent with the Storefront Cannabis Retailer Rezoning Policy (October 27, 2017), as there are no schools within 200m or permitted storefront cannabis retailers within 400m.

BACKGROUND

Description of Proposal

This proposal is to allow for the retail sale of cannabis in an existing building. The property is in the C1-S Zone, Limited Commercial Service Station District. The following differences from the standard zone are being proposed and would be accommodated in the new zone:

- storefront cannabis retailer would be a permitted use
- only one storefront cannabis retailer would be permitted to operate on the property at a time
- a storefront cannabis retailer would be restricted to the ground floor
- a storefront cannabis retailer would be restricted to a maximum floor area of 160m².

All other requirements within the C1-S Zone, Limited Commercial Service Station District, would remain the same.

Land Use Context

The area surrounding the subject property is characterized by commercial and mixed-use development at the intersection of Quadra Street and Tolmie Avenue as well as surrounding single-family residential uses, including single-family homes abutting the property to the south and west. The area to the north, within Saanich, is characterized by single-family residential and apartment buildings.

Existing Site Development and Development Potential

The site is presently a three-storey building with commercial uses on the ground floor and residential uses on the upper storeys.

Under the current C1-S Zone, Limited Commercial Service Station District, the property could be developed for a variety of commercial uses, including commercial-residential buildings, as well as service stations, up to a height of 12m and a density of 1.4 to 1.

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 application.

Accessibility Impact

No accessibility improvements are proposed beyond what is required through the *British Columbia Building Code*.

Relevant History

Rezoning Application No. 00603 for this same property, to allow for the retail sale of cannabis in the same existing building, was declined on December 7, 2017 (federal legislation legalized the recreational use of cannabis on October 17, 2018).

Community Consultation

Consistent with the *Storefront Cannabis Retailer Rezoning Policy*, the requirement to arrange and participate in a Community Association Land Use Committee (CALUC) meeting is waived unless the application involves construction of a new building; however, the application was referred to the Hillside-Quadra Neighbourhood Action Committee CALUC on February 16, 2022, and April 28, 2022. Also consistent with the policy, the application has been referred to School District No. 61 and the Victoria Police Department (VicPD). As of the date of this report, no correspondence has been received by the CALUC, School District No. 61, or VicPD.

ANALYSIS

Official Community Plan

The subject property is part of a small cluster of existing commercial uses at Quadra Street and Tolmie Avenue. The property is designated Small Urban Village under the *Official Community Plan*, 2012 (OCP), which envisions ground-oriented commercial uses.

Local Area Plan- Hillside-Quadra Neighbourhood Plan

The *Hillside-Quadra Neighbourhood Plan, 1996*, refers to the commercial properties at Quadra Street and Tolmie Avenue as being built out and the plan did not anticipate any changes in this area.

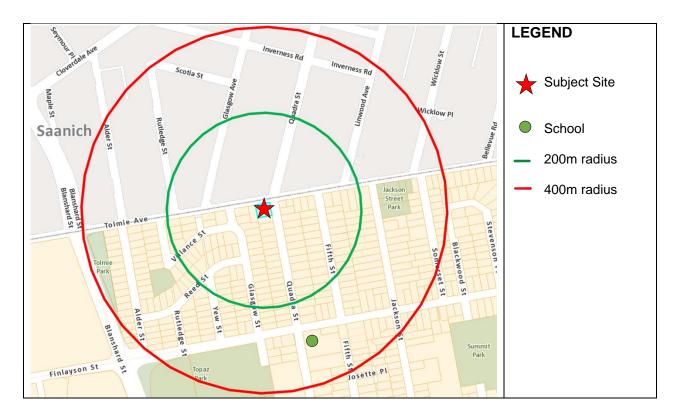
The draft plan for Hillside-Quadra, which is currently being considered by Council, identifies the subject property and surrounding properties as within a Small Urban Village. The draft plan envisions that the Quadra at Tolmie Small Urban Village will support new commercial uses and contribute to a broader objective of ensuring 15-minute communities within the neighbourhood through additional local-serving commercial uses.

Tree Preservation Bylaw and Urban Forest Master Plan

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

Storefront Cannabis Retailer Rezoning Policy

The application complies with the *Storefront Cannabis Retailer Rezoning Policy*. No schools are within 200m and no permitted storefront cannabis retailers are within 400m of the property. The property is approximately 275m from Quadra Elementary School.



Regulatory Considerations

Staff recommend that Council make a condition of approval the provision of a Statutory Right-of-Way (SRW) of 3.20m on Quadra Street and 0.86m on Tolmie Avenue. The existing parking area provides 9 parking spaces in total, which exceeds Schedule C requirements for the proposed commercial and the existing residential uses. However, in the future, when the City wishes to utilize the SRW, all or most of these parking spaces would be lost as they are located within the SRW area, at which time the property would need to be brought into compliance.

CONCLUSIONS

This proposal to permit a storefront cannabis retail use is consistent with the *Official Community Plan, 2012* (OCP) policies as well as the draft plan for Hillside-Quadra, which envisions ground-oriented commercial uses in this location. The proposal does not have any schools within 200m or permitted storefront cannabis retailers within 400m of the property. Therefore, staff recommend that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00808 for the property located at 3198 Quadra Street.

Respectfully submitted,

Patrick Carroll Senior Planner Development Services Karen Hoese, Director Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager.

List of Attachments:

- Attachment A Subject Map
- Attachment B Aerial Map
- Attachment C Plans date stamped June 17, 2022
- Attachment D Letter from applicant to Mayor and Council dated April 20, 2022
- Attachment E Letter from landowner to Mayor and Council dated January 25, 2022
- Attachment F Correspondence (Letters signed by residents)
- Attachment G Minutes from the applicant's presentation to Saanich's Quadra Cedar Hill Community Association, dated August 9, 2021.

MUNICIPALITY OF SAANICH TOLMIE-AY 3197 B179



3198 Quadra Street Rezoning No.00808







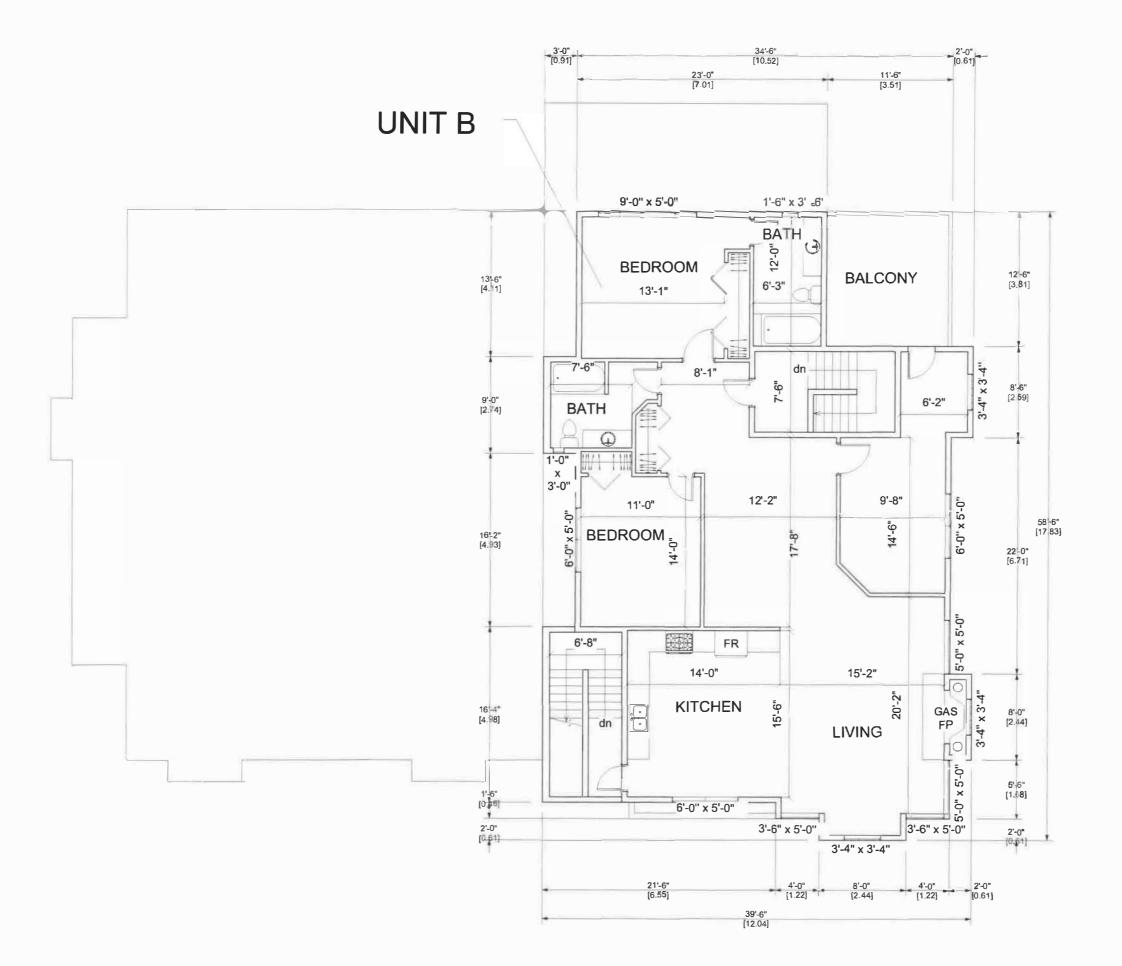
3198 Quadra Street Rezoning No.00808



ATTACHMENT C

Revisions

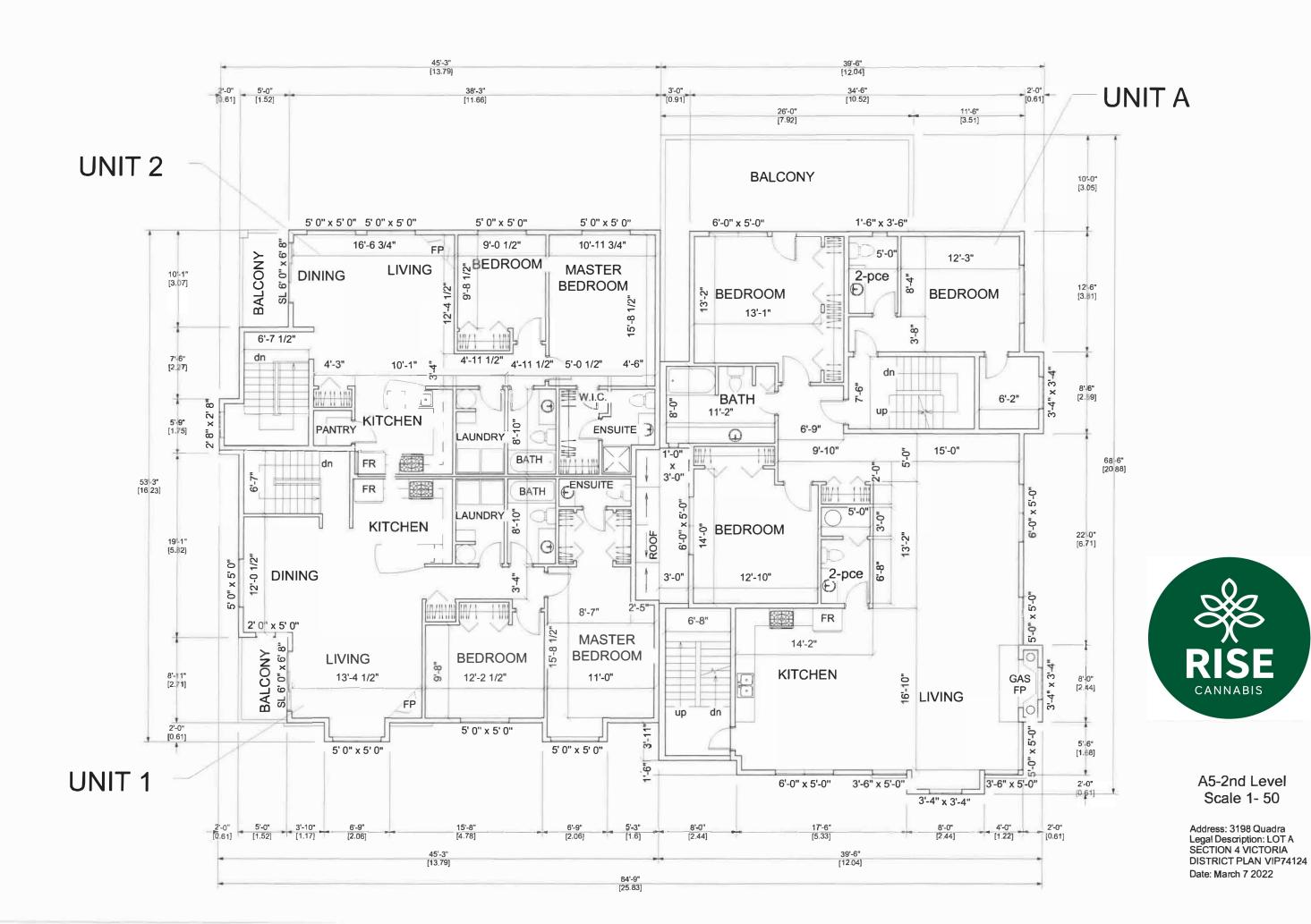
Received Date:
June 17, 2022





A6-3rd Level Scale 1- 50

Address: 3198 Quadra Legal Description: LOT A SECTION 4 VICTORIA DISTRICT PLAN VIP74124, Date: March 7 2022





Existing Storefront



Existing Storefront

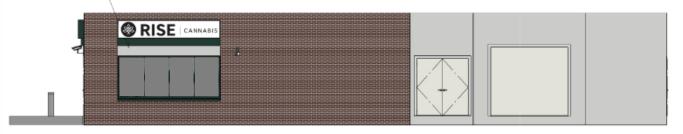
ROLL DOWN SECURITY SHUTTERS



QUADRA ELEVATION



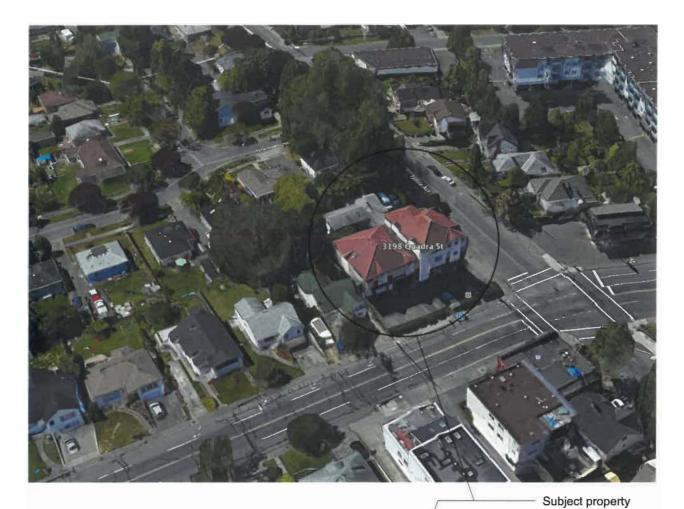
ROLL DOWN SECURITY SHUTTERS

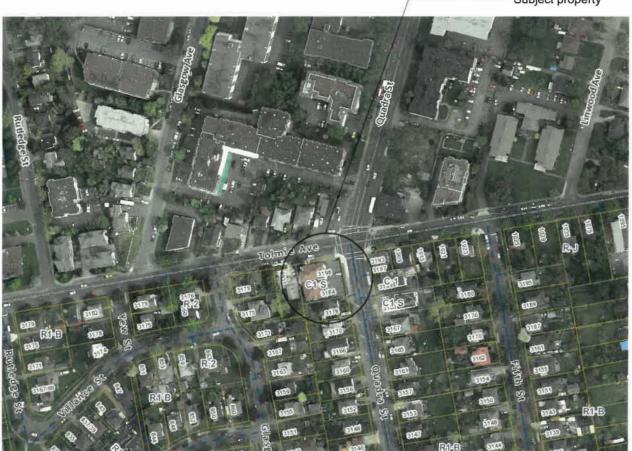


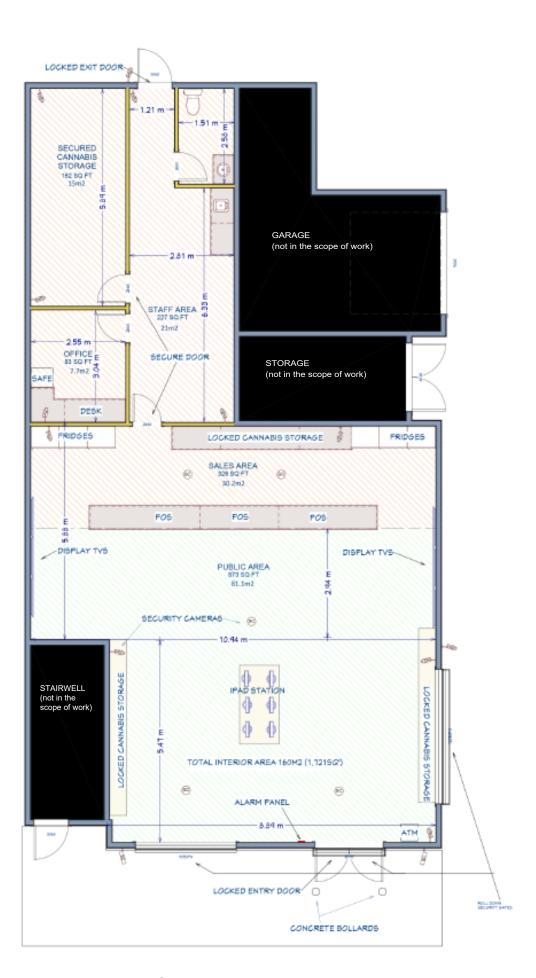
TOLMIE ELEVATION

A3-PICTURES

Address: 3198 Quadra Legal Description: LOT A SECTION 4 VICTORIA DISTRICT PLAN VIP74124, Date: March 7 2022



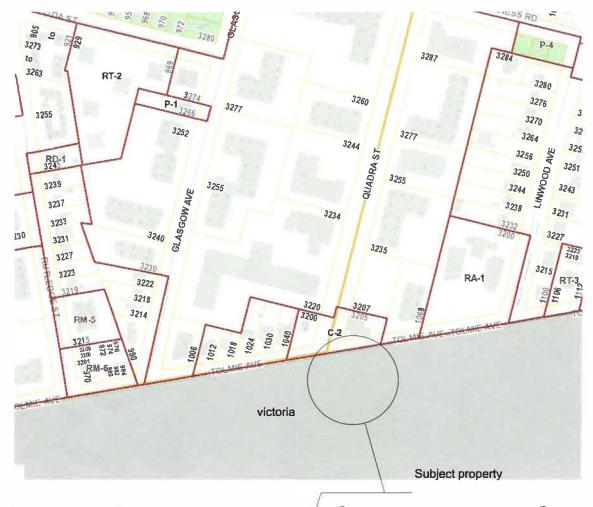






A2-FLOOR PLAN

Address: 3198 Quadra Legal Description: LOT A SECTION 4 VICTORIA DISTRICT PLAN VIP74124 Date: March 7 2022



Ori Saanich 31 G 1 C15S 3154 3153 3148 R1-B 3146 R1·B 3140 R1.B 3138 3132 3136 3132

PROJECT INFORMATION TABLE

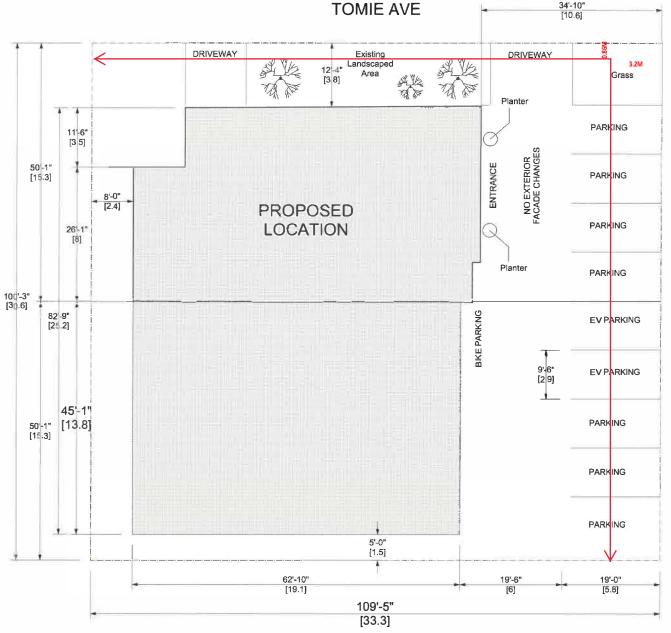
3198 QUADRA STREET ZONING - C1-S SITE AREA - 9 94.8 m2 UNIT FLOOR AREA - 16 0m2 PARKING - 9 STALLS **BICYCLE PARKING - 6 STALLS BUILDING FOOTPRINT - 485m2**

SITE PLAN

1 - 100



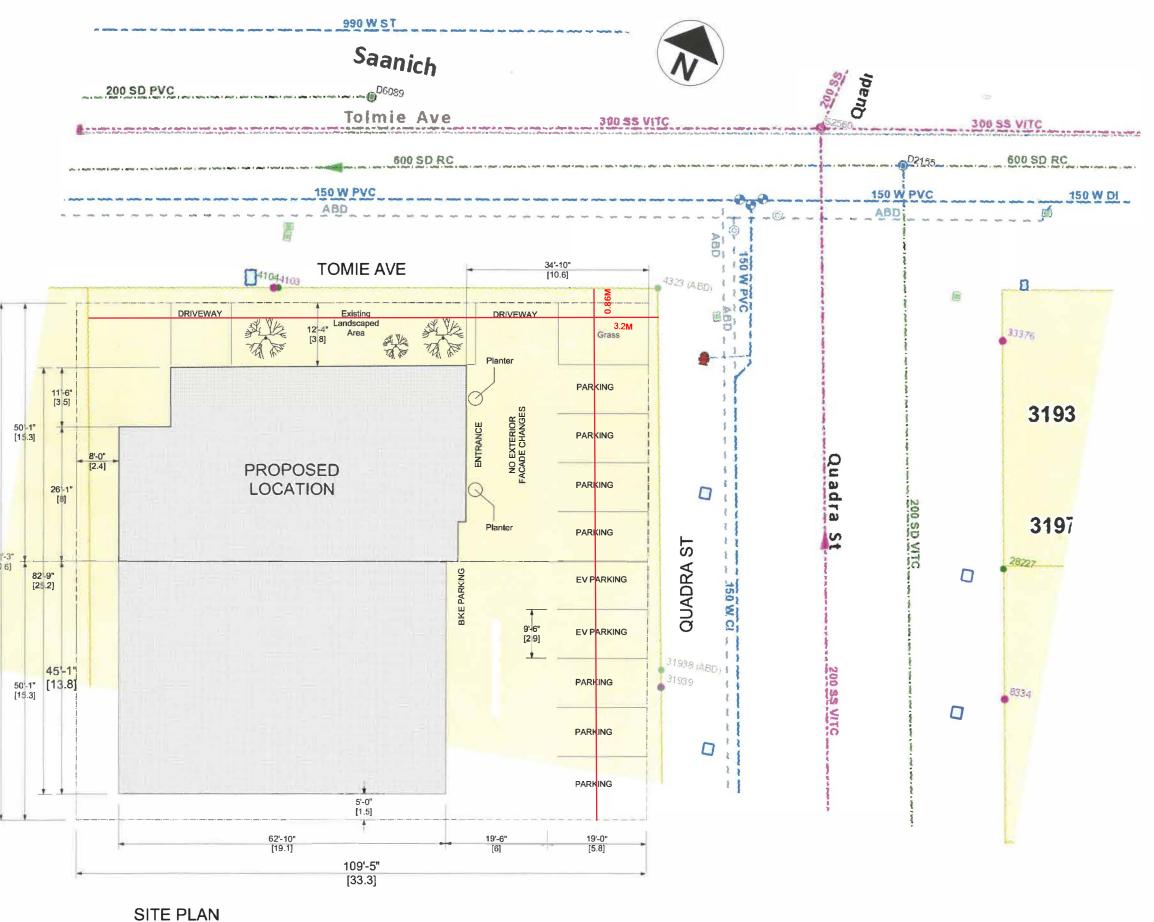




Proposed Statutory Rights-of-Way (as required by City of Victoria)

A1-SITE PLAN

Address: 3198 Quadra Legal Description: LOT A SECTION 4 VICTORIA DISTRICT PLAN VIP74124, Date: March 7 2022





A7-Site Services Scale 1- 100

Address: 3198 Quadra Legal Description: LOT A SECTION 4 VICTORIA DISTRICT PLAN VIP74124, Date: March 7 2022 April 20, 2022

Mayor and Members of Council City of Victoria Centennial Square Victoria, BC V8W 1P6

Your Worship and Council:

My name is Graham Haymes from 4 Mile & Rise Cannabis. I am writing to introduce the proposal of a Cannabis retail store at 3198 Quadra Street, in the current B&V Market site under the name Rise Cannabis. We are proposing a Cannabis store to replace the B&V Market, as the current owners of the market are retiring and closing the market. The proposed store conforms with City of Victoria Cannabis Retail Policy. We have engaged the local neighborhood groups (Quadra NAC & Quadra/Cedar Hill Neighborhood Committee), presented to each group on two different occasions with positive feedback. As this site falls just inside the city of Victoria boundary, we have taken the time to contact the municipality of Saanich & Quadra/Cedar Hill Community Association. This sites location also conforms to the municipality of Saanich Cannabis Retail Policy.

Our family business has a 35-year history working with the LCRB (Liquor Control & Cannabis Branch) providing responsible service, from our Brewpub & Restaurant to Liquor Stores and Cannabis stores. We have a comprehensive plan to provide a safe retail environment while providing responsible service for customers. We are a local family-owned business that wants to expand and grow our footprint in the city of Victora. In addition to the above noted public engagement we have surveyed and engaged patrons of the B&V Market as to the proposed use. Overall, we have received positive feedback about the use with over 35 letters of support from residents. Many people in the local community are excited at the prospect of having legal Cannabis store close by.

We are proud to say that we are a Living Wage employer, certified by Living Wage for Families BC. As a business one of our core values is being a family business and maintaining family values as we do business. To do this we have committed to being a living wage employer at all Rise Cannabis locations.



Living Wage for Families BC

We are hopeful for the opportunity to revitalize the current market. If approved, we will build a Vancouver Island Green Business Collective, Green level business. We also hope to renovate using local building materials and contractors. In addition, we will add two electric vehicle charging stations in the onsite parking area as well as covered bike parking for staff and customers. Part of our business core values is to create a sustainable business model and sell local products. Our goal is to build a beautiful sustainable business in the city of Victoria focusing on local products.



Key points to consider:

- Original application for this site was in 2017, before federal legalization
- At the time of original application Saanich did not permit Cannabis retail stores (this application location meets the distance guidelines from the district of Saanich and would conform if it was in Saanich (District of Saanich was contacted about this application)
- A Cannabis retail store (Original Farm) resides at 3055 Scott Road which is within 200M of a
 public school and has been operating successfully without negative impact to the community,
 3198 Quadra is 360M from the nearest public school
- 35 support letters with local addresses and signatures have been included in the application
- Two electric charges will be added to on-site parking if approved, along with a VIGBC Green level renovation and approved store build on site
- Efforts will be made to improve and modernize Green Stormwater Infrastructure with the addition of permeable parking surfaces, added green space and plantings as well as adding cisterns to the site
- A statutory right of way (SRW) will be given on the site of 3.2M along Quadra Street and .86M along Tolmie Street to meet future transportation needs of the city
- The owners of the B&V Market and building also operate the market, they are retiring and have provided a letter to underscore to the local community that the change of retail use is due to retirement and will close regardless of the outcome of the application
- We are a living wage employer and if successful this store will create 12 new jobs in the community

Thank you for your time and consideration.

Sincerely,

Graham Haymes, 4 Mile Liquor Stores & Rise Cannabis

January 25, 2022

Mayor Lisa Helps, City of Victoria 1 Centennial Square Victoria, BC V8W 1P6

RE: CANNABIS REZONING APPLICATION FOR 3198 QUADRA ST.

Dear Mayor Helps,

We are writing to inform you and your council that, as the building owners, we fully support the application on behalf of the 4 Mile Group to operate a licensed cannabis storefront at 3198 Quadra St. In light of the rules and regulations that the City of Victoria has established, we are confident that this new business will thrive in our neighbourhood where we have worked hard for over 30 years.

We have consulted our customers, neighbours and tenants and have received positive feedback for new cannabis business as discussed with Graham Haymes of the 4 Mile Group. They have a successful business model which will serve the City of Victoria well.

After over 35 years of business at the corner of Quadra and Tolmie, it is with mixed emotions that we write this letter. Many memories, friends and our family have helped us work well as a small family business for 35 years together, and now we are looking forward to retiring and moving on to other opportunities. We hope to receive positive news from your council about the status of this application in the near future.

Yours truly,

Sudershan Virk - Owner

113 Werra Road

Victoria, BC

V9B 5C5

Bachittar Basi - Owner

877 Denford Cresent

Victoria, BC

V8X 4M9

Sarinder Virk - Owner

113 Werra Road

Victoria, BC

V9B 5C5

Amar Basi - Owner

1030 Tillicum Road

Victoria, BC

V9A 2A1

B and V Market 3198 Quadra St. Victoria, BC -V8X 1G1

Email - bandvmarket@gmail.com

Proposed Rezoning of:

B&V Market 3198 Quadra Street Victoria B.C. V8X 1G1

I am in support for the proposed rezoning of the B&V Market at 3198 Quadra Street, for the use of Non-Medical Retail Cannabis, to be operated by local retailers under the name Rise Cannabis. I am a local resident in the area.

I have been informed of the local operators Rise Cannabis, their store concept and proposal and of their other store in operation at Admirals Walk Shopping Center (Unit 103-1505 Admirals Road) in View Royal.

Date: Aug 10/21

Printed Name: Lymberli Fineli

Signature:

Local address: Sle Villance St

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B&V Market 3198 Quadra Street Victoria B.C. V8X 1G1

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Local address:

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Date: 501926

Printed Name: Dakota Hallman

Signature:

Local address: 3180 COOK

Proposed Rezoning of:

B&V Market 3198 Quadra Street Victoria B.C. V8X 1G1

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Date: JULY 26/21

Printed Name: KYLE CARDEN

Signature:

Local address: 3-3198 QUADRA ST.

VICTORIA, BC V8x 1G1

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B&V Market 3198 Quadra Street Victoria B.C. V8X 1G1

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Date:

:

26/07/21 ne: Roberto LENAINE

Signature:

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Date: July 26 2021

Printed Name: Durielle Powell

Signature:

Local address: 209-3234 Quadra St. Victoria BC.

V8X 162-

Proposed Rezoning of:

B&V Market 3198 Quadra Street Victoria B.C. V8X 1G1

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Date:

Local address: 7-3226 Alder Street Victoria, BC

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July 24, 2021 IName: Steve Tuns

Signature:

Local address:

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Date: 04/11/2/

Printed Name:

DOZIBBOM MIL

3170 QUADRA ST. V841GI VIC BC

Signature:

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Date: 10 July 2021

Printed Name: Hanne

Signature:

Local address: 5-3198 Quadra St Victoria BC UBX 161

Proposed Rezoning of:

B&V Market 3198 Quadra Street Victoria B.C. V8X 1G1

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Date:

Printed Name

Signature:

Local address:

993 Tolmie

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Date: July 6

Printed Name: Jessica Schmid

Signature: Addalla.

Local address: 3152 Quadra 87 -

Proposed Rezoning of:

B&V Market 3198 Quadra Street Victoria B.C. V8X 1G1

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Date: Auly 6 2021

Printed Name: DON DEESCEX

Signature: Son Don DEESCEX

Local address: 307- 207 Guna

Proposed Rezoning of:

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Date: July 6 # 2021

Printed Name: Justin Kohot
Signature: Jackson

Local address: 14 - 3248 Rutledge 54

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Date:

July J 6th 2021

Printed Name: Mark Bush

Signature: Mr. My

Local address: 860 Villance Stores

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B&V Market 3198 Quadra Street Victoria B.C. V8X 1G1

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Date: July 30/21

Printed Name: Ken Da Silva

Signature:

Local address: 303-3235 Quadra St Victoria, BC U8X 16H

Proposed Rezoning of:

B&V Market 3198 Quadra Street Victoria B.C. V8X 1G1

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Date: July 30/2021
Printed Name: Jason Bourassa

Signature

Local address: 202- 3277 RUTLEDGE ST

VICTURIA, B.C.

Proposed Rezoning of:

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July 30/21

Printed Name: Kail Preece
Signature: Kail Breece

Local address:

Proposed Rezoning of:

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Date: Ily 3th

Printed Name: Jonger Sportes

Signature: The Signature Signature Signature

Local address: 8179 Cularger 8

Proposed Rezoning of:

B&V Market 3198 Quadra Street Victoria B.C. V8X 1G1

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Date: June 30 , 2021

Printed Name:

Signature:

Local address: 900 tolmie Ave

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Printed Name:

TERI MULLEN e: Teri Mulla

June 30/21

Signature:

Local address:

address: 3170 Quachna st V8X 191

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Date:

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June 30, 2021

Printed Name:

Sara Christine Oakes

Signature:

5 c.a.

Local address:

#406-1068 Tolmie ave.

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Signature:

Local address:

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Date: JUNE 30 2021

Printed Name: JAMES Atess

Local address: 3179 Glasgow St

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Jun 29 2021

Printed Name:

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Signature

Local address:

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Date: 2021-06-30

Printed Name: Rub Arm Staif

Signature:

Local address: Yes 3,79 Yew St

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Date: 30th JUNE 2027

Printed Name: TOM BAYCISS

Local address: 843 villance 5+

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Date:

30, Jove, 2001 Printed Name: Matt Garvey

Signature:

Local address:

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Printed Name: Stephen Payne

Signature: Spayne

Local address: 3198 Quadra Apt #5

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Date: Orly 3 Dall
Printed Name: MIKE PRHETSON

Signature:

Local address:

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Signature:

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Local address:

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Date: 7 1173, 2021

Printed Name: 7- ander Jacob Tripei- Stewart

Signature: Z

Local address: 3220 avadra, apartnet 431

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Date:

Printed Name:

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Local address: local address:

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Date: July 3, 2021

Printed Name: Kyla Yoshicka

Signature:

Local address:

Sula Quadra St

August 9, 2021

Re: Proposal for a non-medical cannabis store in the existing building at 3198 Quadra Street .

The proponent, Graham Haymes, is a local businessman who would like to develop a storefront non-medical cannabis business at 3198 Quadra Street, currently the B&V Market. The store is officially in the City of Victoria but borders the Municipality of Saanich, so Mr. Haymes reached out to the Quadra Cedar Hill Community Association on two occasions to inform us of his plans. A few members of our Land Use Committee attended Zoom meetings with him on December 7, 2020 and June 29, 2021. He provided a 10-page document and added a Q&A sheet at our request to further clarify his plans and address our questions.

Subsequently, we circulated these two documents to Saanich Block Watch neighbours on Wicklow Street who live two blocks from the proposed business or closer for their information and feedback. A total of 40 households received the proposal and ten individuals responded. The reaction was mixed. Three were strongly opposed, three had no objections and four were resigned to accepting that cannabis is now legal and these businesses are the new reality. The three respondents that had objections were not concerned that the proposal would not meet all the municipal and provincial regulations, but that it was not a good location and would not add value to the community. The Block Watch neighbourhood is composed of single-family homes and a 12-unit townhouse development and is within one block of a church that operates a daycare program, and a 97-unit seniors' residence that is under construction. There is also a supportive seniors' housing project on Quadra Street within a block of the proposed storefront. The feedback from the Block Watch members was given to the developer and he agreed to reach out to the Church/daycare and the two seniors' residences.

The Quadra Cedar Hill Community Association appreciated being notified of the proposal in the early stages of the developer's plan to apply for a re-zoning permit, and that he assured us that he will meet all the regulations required by the City of Victoria and the BC Liquor and Cannabis Regulation Branch.

Sincerely,

Susan Haddon, President Quadra Cedar Hill Community Association www.qchca.com CITY OF VICTORIA | Sustainable Planning & Community Development

Rezoning Application

3198 Quadra Street

COMMITTEE OF THE WHOLE | June 30, 2022

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OF SAANICH

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2 COMMITTEE OF THE WHOLE- 3198 Quadra Street | June 30, 2022

Aerial Photo

VICTORIA



Subject Property

VICTORIA

3 COMMITTEE OF THE WHOLE- 3198 Quadra Street | June 30, 2022

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Neighbouring Properties



4 COMMITTEE OF THE WHOLE- 3198 Quadra Street | June 30, 2022

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