

November 30, 2022

Mayor Alto & Council  
City of Victoria  
City Hall, 1 Centennial Square  
Victoria, BC V8W 1P6

Dear Mayor Alto and Council,

**Re: Application to Rezone 340 Mary Street**

We are pleased to submit this letter requesting the above-described property be rezoned to allow for retail cannabis.

**Description of Proposal**

This proposal is to allow the property described above to undertake retail cannabis sales. Specifically, to permit the federally-licensed grower on the property to retail its product. Recently, on behalf of B.C.'s Liquor and Cannabis Regulation Branch, Ministry of Public Safety and Solicitor General, B.C.'s new Producer Retail Store licence (farm-gate sales program) was announced. This licence was created as part of the Province's 2020 commitment to enable cannabis sales from stores located at federally-licensed production sites in B.C. This program will provide another way for eligible producers to participate in the legal market. This licence is intended to support cannabis growers in B.C. to become part of developing a robust, diverse and sustainable legal cannabis economy for our province.

**Background**

Currently, the property, which fronts both Mary and Russell Streets, contains two federally-licensed cannabis cultivation facilities and a federally-licensed cannabis nursery. A cannabis processing facility has been constructed on site and a processing licence application has been submitted to the federal government. Adjacent to the site is a vacant lot at 235 Russell Street. A Development Permit has been received from the City of Victoria to construct a purpose-built cannabis facility on that vacant lot. The Building Permit application for that facility is currently under review by the City. Years of collaboration with municipal, provincial and federal governments has led to the establishment of a truly unique facility providing numerous jobs and community benefits.

The final piece of this vertically integrated (i.e., farm to consumer) project is the farm-gate program. Applications for this provincially-regulated licence may be submitted after November 30, 2022. It is our intention to apply for the provincial farm-gate license.

The subject property was recently rezoned to M1-R to permit the production of cannabis. Among the permitted uses in the zone are,

*“retail sales and offices as accessory uses that: (i) are incidental to or normally associated with a principal use, permitted under this section, of manufacturing, cleaning, storing, or otherwise handling products, and (ii) do not together occupy more floor space than is occupied by the principal use to which they are incidental or normally associated.”*

Given the principal site use of cannabis cultivation, the retail sale of cannabis would seem to be *normally associated* with that principal use. Further, the combined office and retail space do not together occupy more floor space than is occupied by the principal use to which they are incidental or normally associated. That is, were it not for the nature of the use (i.e., cannabis-related), a rezoning application

would be unnecessary. City policy requires all retail cannabis to undertake a rezoning application and we are happy to do so. This section has been added not to suggest we should not need to undertake a rezoning, but rather to reiterate the nature of the proposal (i.e., farm-gate as compared to other retail cannabis) and to highlight that the existing zone supports the retail sale of that which is manufactured on site.

### **Government Policies and Project Benefits**

City of Victoria policy supports light industrial economic development. While the uses may not be specifically defined in the zoning or the OCP, job creation, environmentally-friendly industrial development and the increase in tax base are among benefits consistent with municipal policy and the OCP. Current and future business activity will help to reinforce the vibrancy of the area.

### **Neighbourhood**

Immediately south of the E&N railway, 340 Mary Street fronts Mary Street close (i.e., separated by the railway) to the SW corner of the intersection of Esquimalt Road and Mary Street. Adjacent are industrial properties and across both Mary Street and Esquimalt Road are industrial and/or commercial properties. Previously, the space at 340 Mary Street was used as a commercial showroom and office. This proposal is in keeping with the immediate context.

In summary, the anticipated farm-gate licence completes the journey from farmer to consumer. The neighbourhood benefits from ongoing and future business activity. Jobs and taxes are created. The businesses make a significant contribution to the city's evolving urban fabric.

Yours truly,

**235 Russell Sakura Venture Ltd.**



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Dan Robbins