

REPORTS OF COMMITTEES

1. Committee of the Whole – March 16, 2017

2. Rezoning Application No. 00537 for 1010 Cook Street (Fairfield)

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00537 for 1010 Cook Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Carried

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe
Opposed: Councillor Young

5. LAND USE MATTERS

5.1 Rezoning Application No. 00537 for 1010 Cook Street (Fairfield)

Committee received a report dated February 23, 2017 from the Director of Sustainable Planning and Community Development providing information regarding the rezoning application for the property located at 1010 Cook Street to allow for the retail sale of cannabis.

Committee discussed:

- Signage on the property being in compliance with the bylaw.

Motion: It was moved by Councillor Loveday, seconded by Councillor Isitt, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00537 for 1010 Cook Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Committee discussed:

- The maintenance of the building.
- The potential issues with the 200-metre buffer zone requirement.

CARRIED 17/COTW

For: Mayor Helps, Councillor Alto, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe
Against: Councillor Young



Committee of the Whole Report

For the Meeting of March 16, 2017

To: Committee of the Whole **Date:** February 23, 2017

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00537 for 1010 Cook 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. 00537 for 1010 Cook Street, 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 1010 Cook Street. The proposal is to rezone from the current C-1 Zone, Limited Commercial 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 Core Residential designation in the *Official Community Plan 2012*
- the proposal is consistent with the *Storefront Cannabis Retailer Rezoning Policy*, as there are no schools or permitted storefront cannabis retailers within 200m.

BACKGROUND

Description of Proposal

This Rezoning Application is to allow for the retail sale of cannabis in an existing building. No alterations to the building or site plan are proposed. 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
- storefront cannabis retailer would be restricted to a maximum floor area of 100m², which is in keeping with the size of the existing operation.

All other requirements within the C-1 Zone, Limited Commercial District, remain the same.

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.

Land Use Context

The area is characterized by commercial uses in both single-storey buildings and higher density mixed-use developments. Residential uses are located in mixed-use buildings and apartment buildings.

Existing Site Development and Development Potential

The site is presently developed as a single-storey commercial building. Under the current C-1 Zone, the property could be built to a maximum height of 12m and used for residences, offices, numerous commercial purposes, veterinarians, and high tech industries.

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 CALUC. Also consistent with the Policy, the application has been referred to School District No. 61 and the Victoria Police Department. At the time of writing this report no comments had been received.

ANALYSIS

Official Community Plan

The *Official Community Plan* 2012 (OCP) identifies this property within the Core Residential urban place designation, within which commercial activities are an envisioned use.

Local Area Plans

The Fairfield excerpt within the *Suburban Neighbourhoods* 1984 plan identifies the property for Apartments.

Storefront Cannabis Retailer Rezoning Policy

The application complies with the *Storefront Cannabis Retailer Rezoning Policy* and was one of the sites identified as operating as a storefront cannabis retailer at the time of Council adopting the regulations and policy framework related to cannabis. No schools or permitted storefront cannabis retailers are within 200m of the property at the time of writing this report.

Regulatory Considerations

The application does not include any alterations to the existing building. Furthermore, it complies with the siting criteria of the C-1 Zone, and as such there are no variances.

CONCLUSIONS

This proposal to permit the storefront cannabis retailer use is consistent with the *Official Community Plan* in accommodating commercial retail uses. The proposal does not have any schools or permitted storefront cannabis retailers within 200m of the property. Staff recommend that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Application No. 00537 for the property located at 1010 Cook Street.

Respectfully submitted,



Michael Angrove
Planner
Development Services



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

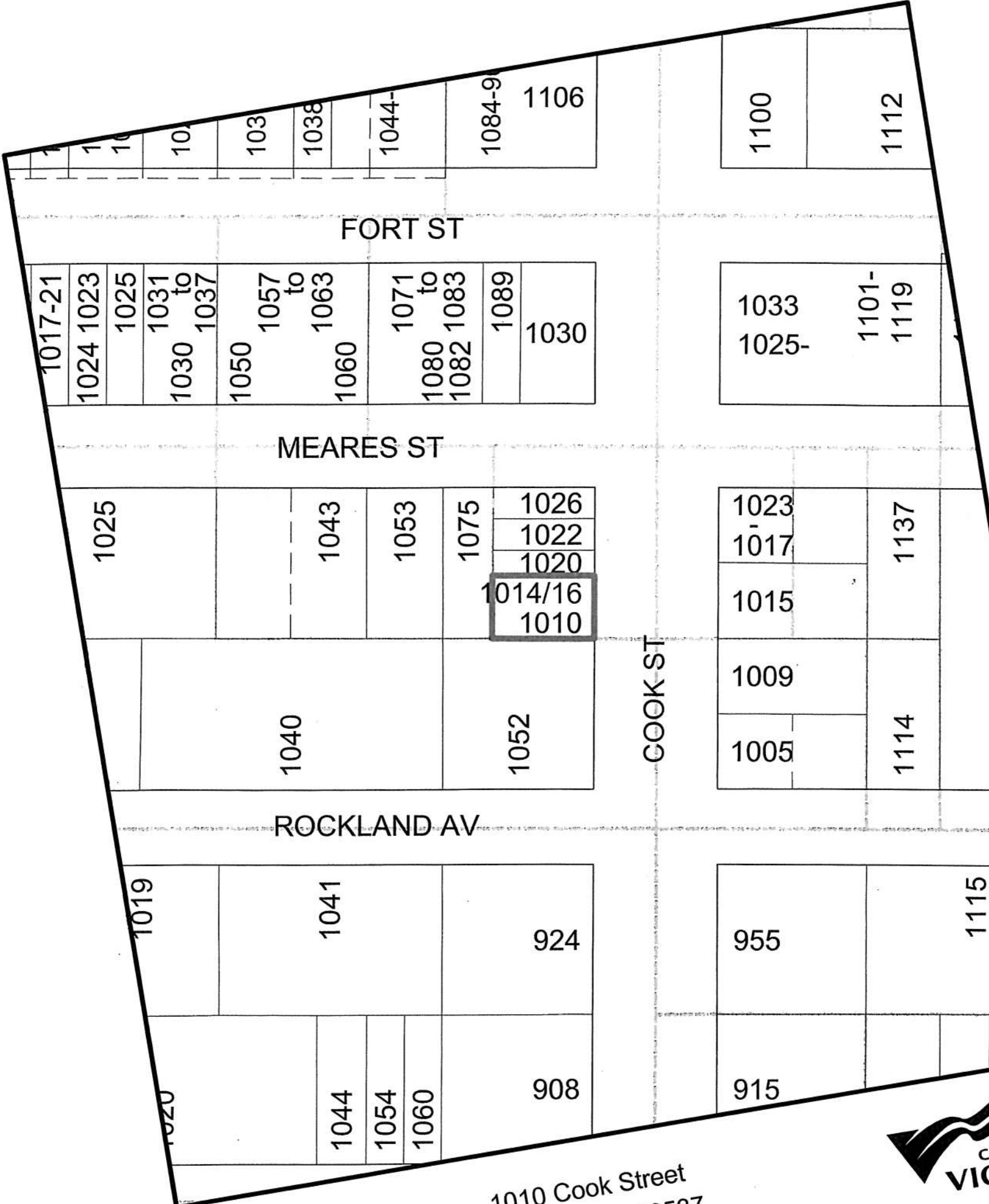
Report accepted and recommended by the City Manager:



Date: March 9, 2017

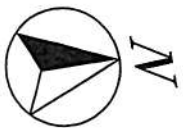
List of Attachments

- Subject Map
- Aerial Map
- Plans date stamped November 16, 2016
- Letter from applicant to Mayor and Council dated November 9, 2016



1010 Cook Street
Rezoning No.00537





1010 Cook Street
Rezoning No.00537



Rezoning to

HERB'S VICTORIA, 1010 COOK STREET

Herb Collins
Herb's Victoria
hcollins@live.ca
(250) 590-2408

LEGEND

- Regulated Fire Hydrant
- Curb
- Property Lines
- Time Limited Parking
- No Stopping
- Tree
- Bike Rack

LIST OF DRAWINGS

ARCHITECTURAL

- A-000 Drawing List, Legend, Code Review, Project Information Table & Site Plan
- A-001 Site Plan
- A-002 Existing Floor Plan
- A-003 Exterior Photos
- A-004 200m Radius Map

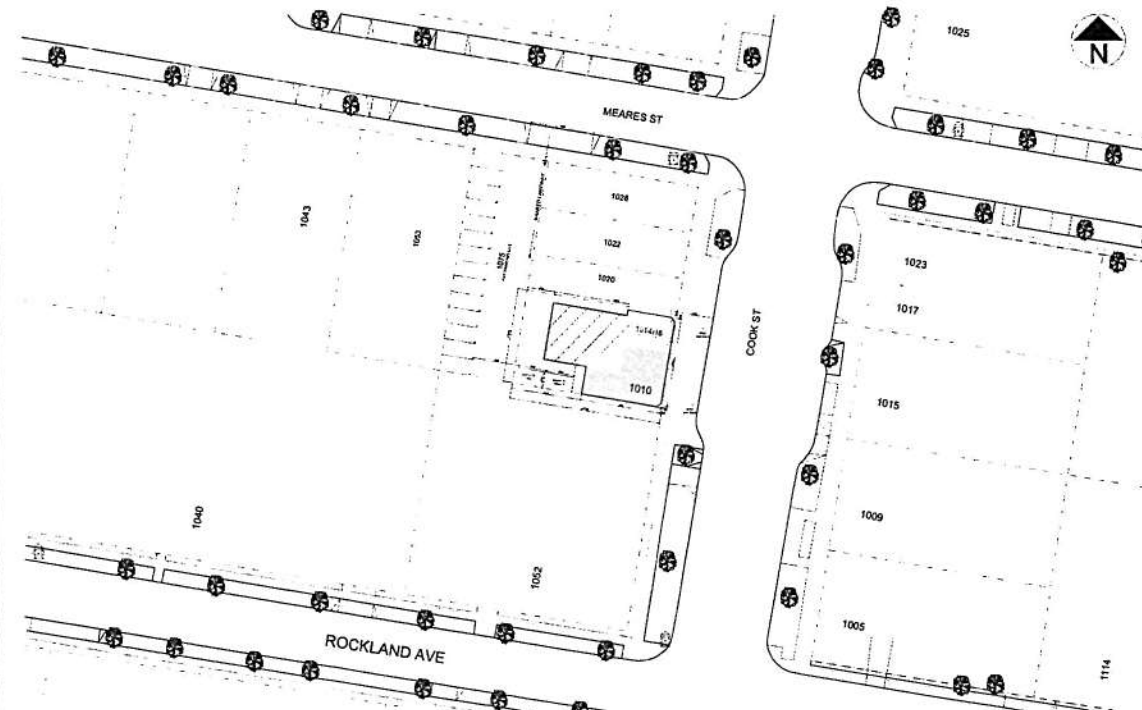
PROJECT INFORMATION TABLE

PROJECT INFORMATION TABLE	
Zone (Existing)	C-1
Site Area (sq.m)	377.9 sq.m
Unit Floor Area (sq.m)	88.3 sq.m
Parking Stalls (Number on Site)	Street Parking
Bicycle Parking Number (Class 1 and 2)	Class 1: 0, Class 2: 2

CITY OF VICTORIA
RECEIVED **DEEMED**
FEB 16 2017 **NOV 16 2016**

CODE REVIEW

Item	2012 British Columbia Building Code, Class Matters	Part 3, BCRC 2012 (Reference)
1	Address	1010
2	Legal Description	1010
3	Project Description	1010
4	Location of Building	1010
5	Zone	1010
6	Use	1010
7	Height	1010
8	Area	1010
9	Setback	1010
10	Other	1010
11	Other	1010
12	Other	1010
13	Other	1010
14	Other	1010





NOV 16 2015

RECEIVED
FEB 16 2017

NOV 16 2015

1053

1075
PAY PARKING LOT

SHARED LANEWAY

1026

1022

1020

1014/16

1010

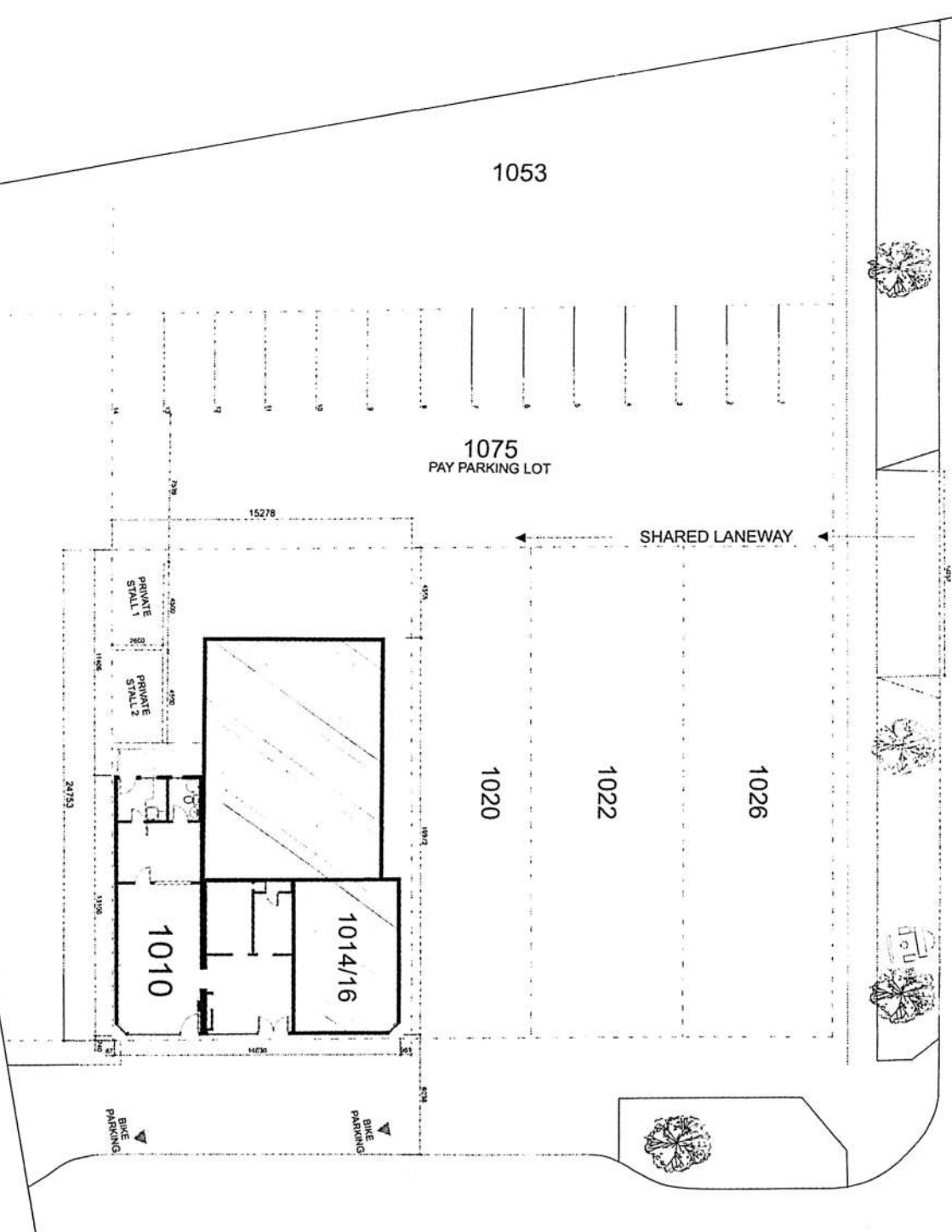
COOK ST

STATION 11 (LIVE/RECORDING)	10-001
STATION 12 (LIVE/RECORDING)	10-002
STATION 13 (LIVE/RECORDING)	10-003
STATION 14 (LIVE/RECORDING)	10-004
STATION 15 (LIVE/RECORDING)	10-005
STATION 16 (LIVE/RECORDING)	10-006
STATION 17 (LIVE/RECORDING)	10-007
STATION 18 (LIVE/RECORDING)	10-008
STATION 19 (LIVE/RECORDING)	10-009
STATION 20 (LIVE/RECORDING)	10-010

Herb Collins
Herb's Victoria
hcollins@live.ca
(250) 590-2408



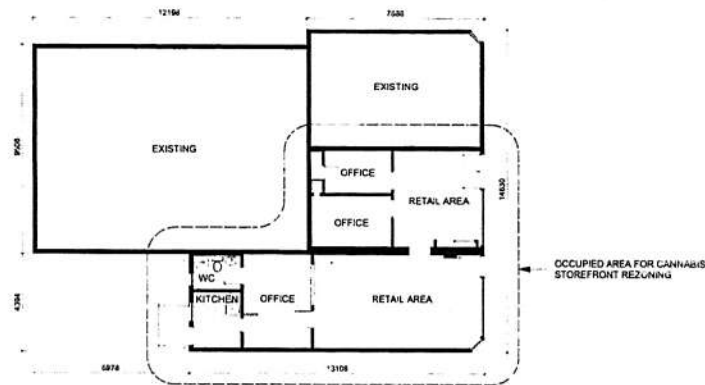
Received
City of Victoria
NOV 15 2016
Planning & Development Department
Development Services Division



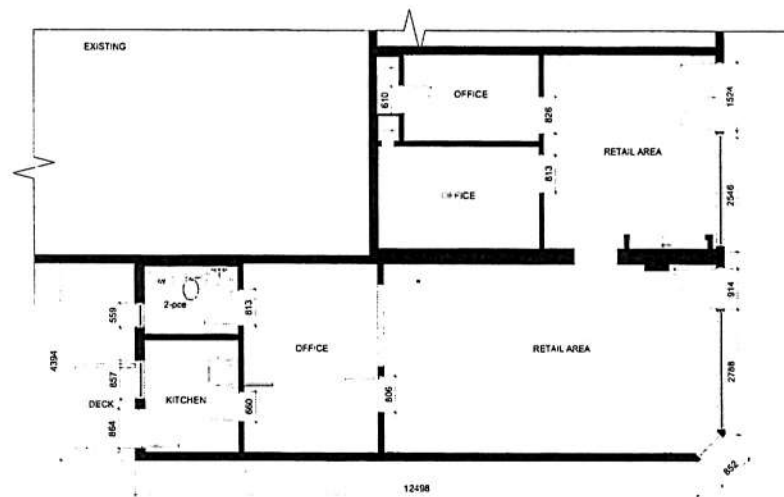
1	1010 Cook St	2016/11/15
2	1010 Cook St	2016/11/15
3	1010 Cook St	2016/11/15
4	1010 Cook St	2016/11/15
5	1010 Cook St	2016/11/15
6	1010 Cook St	2016/11/15
7	1010 Cook St	2016/11/15
8	1010 Cook St	2016/11/15
9	1010 Cook St	2016/11/15
10	1010 Cook St	2016/11/15

number TEN number 10

1010 Cook St
Site Plan
2016/11/15



1 Existing Floor Plan
1:100



2 Large Scale Plan
1:50



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Herb's Victoria
hcollins@live.ca
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City of Victoria

NOV 16 2016

Planning & Development Department
Development Services Division

2	STUDY FOR REVIEW	2016-10-31
1	ISSUED FOR REVIEW	2016-10-28



1:100	2016-10-31
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1010 Cook St
Storefront Cannabis Retailer Rezoning

1010 Cook St
Existing Floor Plans

LT	LM
2016xxx	A-002

Herb Collins
Herb's Victoria
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1 Entrance - East Face of Building



2 Entrance



3 West Face of Building



4 North/West Face of Building

Received
City of Victoria

NOV 15 2016

Planning & Development Department
Development Services Division

2	ISSUED FOR REVISION	2016-10-31
1	ISSUED FOR REVIEW	2016-10-31

number TEN
number 10

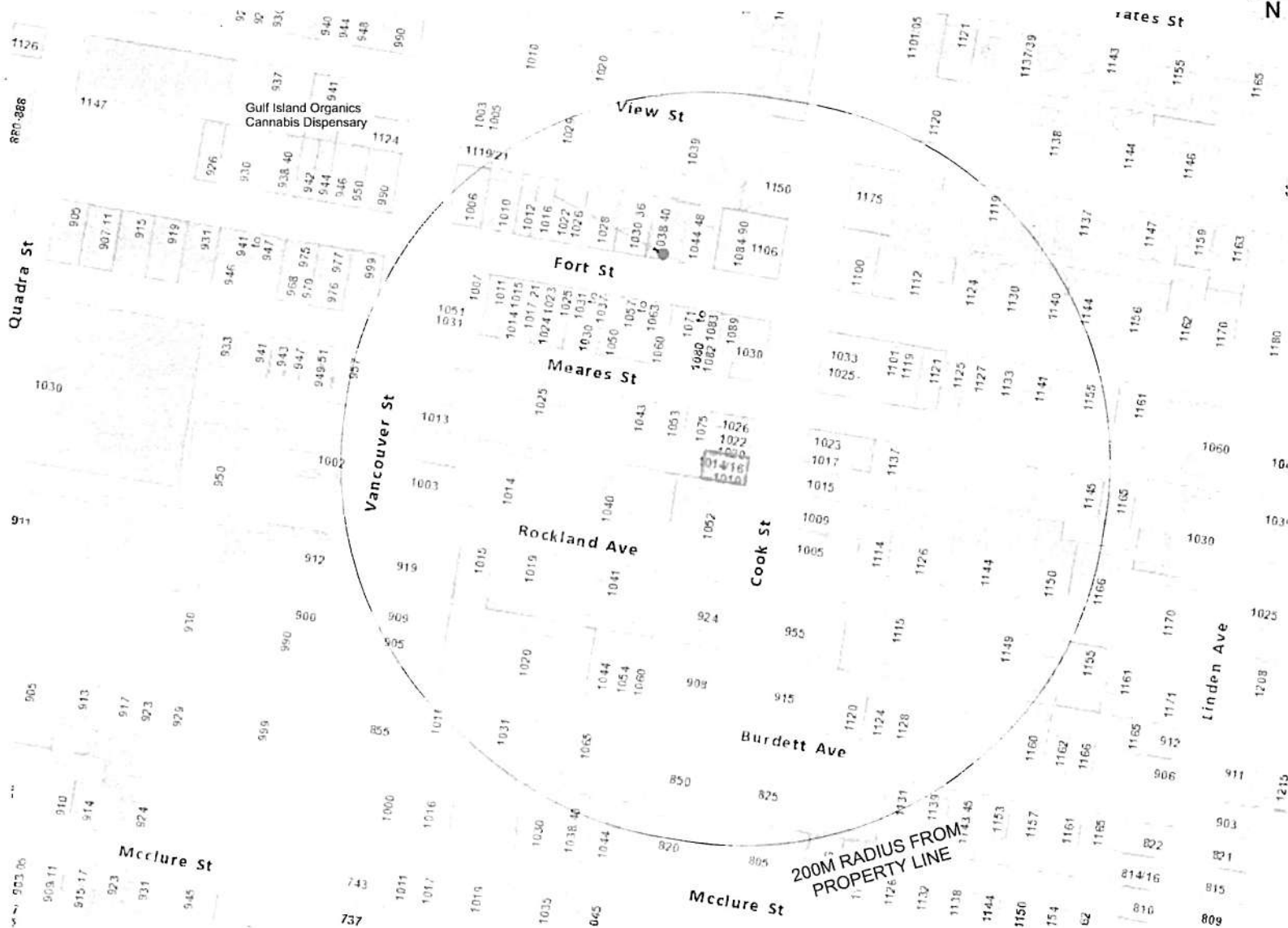
As Noted 2016-10-31

1010 Cook St
Storefront Cannabis Retailer Rezoning

1010 Cook St
Exterior Photos

LT	LM
2016xxx	A-003

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Herb's Victoria
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● OTHER CANNABIS STOREFRONTS WITHIN 200m RADIUS

2	ISSUED FOR REZONING	2016-10-31
1	ISSUED FOR REVIEW	2016-10-31



1:1000 2016-10-31

1010 Cook St
Storefront Cannabis Retailer Rezoning

1010 Cook St
200m Radius Map

LT	LM
2016cax	A-004

November 9, 2016

Attn: Mayor Lisa Helps

Re: Herb's Herbs, 1010 Cook St, Victoria, BC, V8V 3Z5

Dear Mayor Helps,

My name is Herbert Collins and I would like to formally apply for the newly created license for operating a medical dispensary from the City of Victoria to own and operate a caring medicinal cannabis dispensary on Cook St.

Currently I am a Health Canada approved medical cannabis patient. I believe strongly in this plant's healing ability as I know this from first hand experience from chronic pain due to past injuries. It truly helps me and many others relieve pain without the damaging use of pharmaceuticals that may harm one's liver and or kidneys over time.

Many mature medical members from all around Victoria rely on my service.

We are always very respectful and polite to our neighbours and patients. We have been complying with your bylaws and want to continue to comply and grow in these budding and pioneering times with our city and fellow citizens. We feel welcome in our wonderful neighbourhood and want to live in harmony with our locals. I feel the surrounding shops benefit from our community as well.

I am born and raised on Vancouver Island and have been a citizen of Victoria for 20 years now. My dream is to help people in need of this natural product and will be donating to local charities as well. I believe in my mission in wanting to help people in need of their natural medication. Please I would like to be given the opportunity to continue to help our many needy patients in need of our compassionate service and our quality care that I believe everyone deserves.

Thank you very much for sharing your precious time in reading my letter to you. I wish you and all city councilors well and look forward to chatting again in the future while continuing to serve our beautiful city of Victoria.

Sincerely,

Herb Collins