

**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



## **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 100m<sup>2</sup>, 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

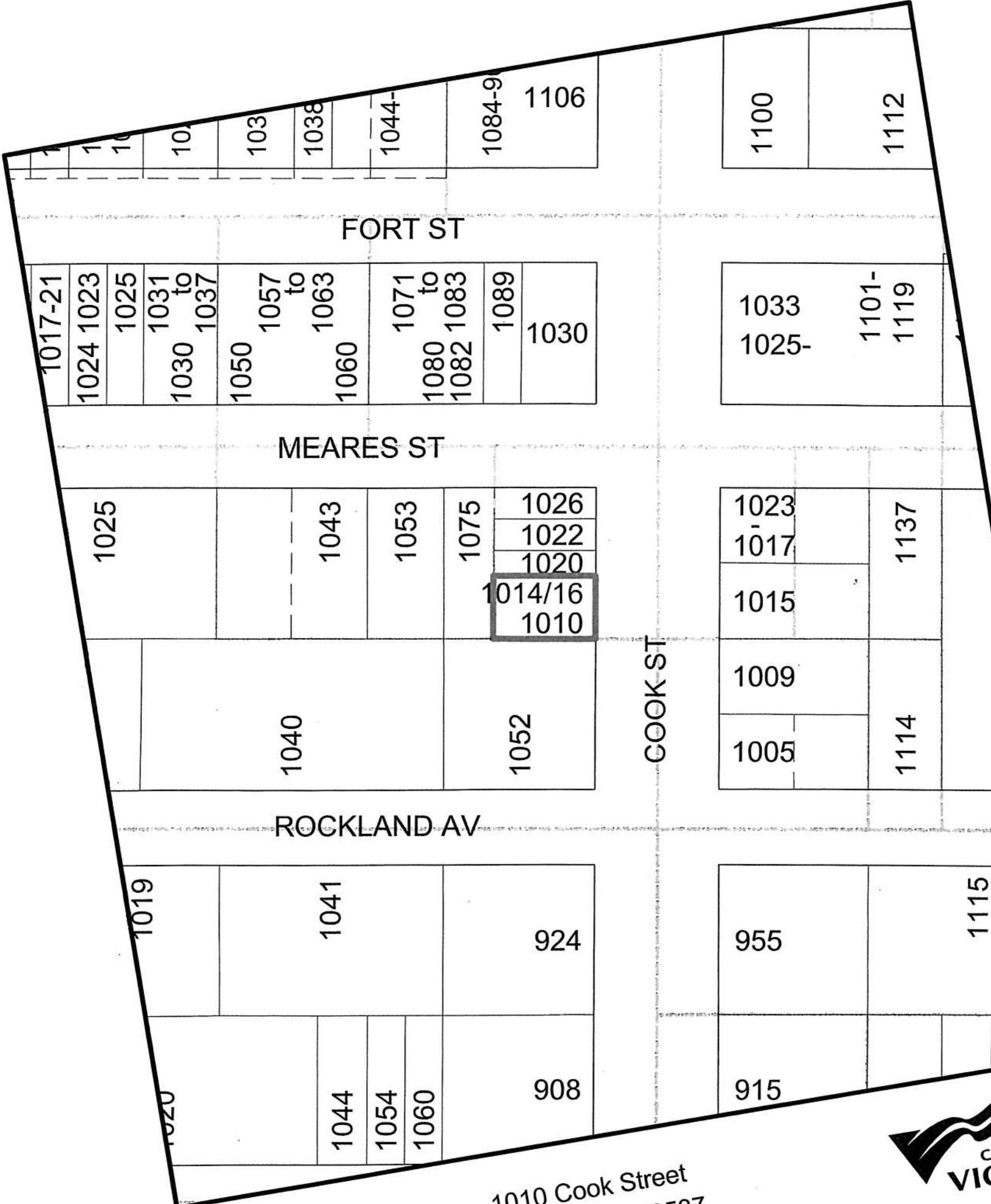
Report accepted and recommended by the City Manager:



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



FORT ST

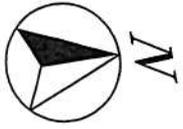
MEARES ST

ROCKLAND AV

COOK ST

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

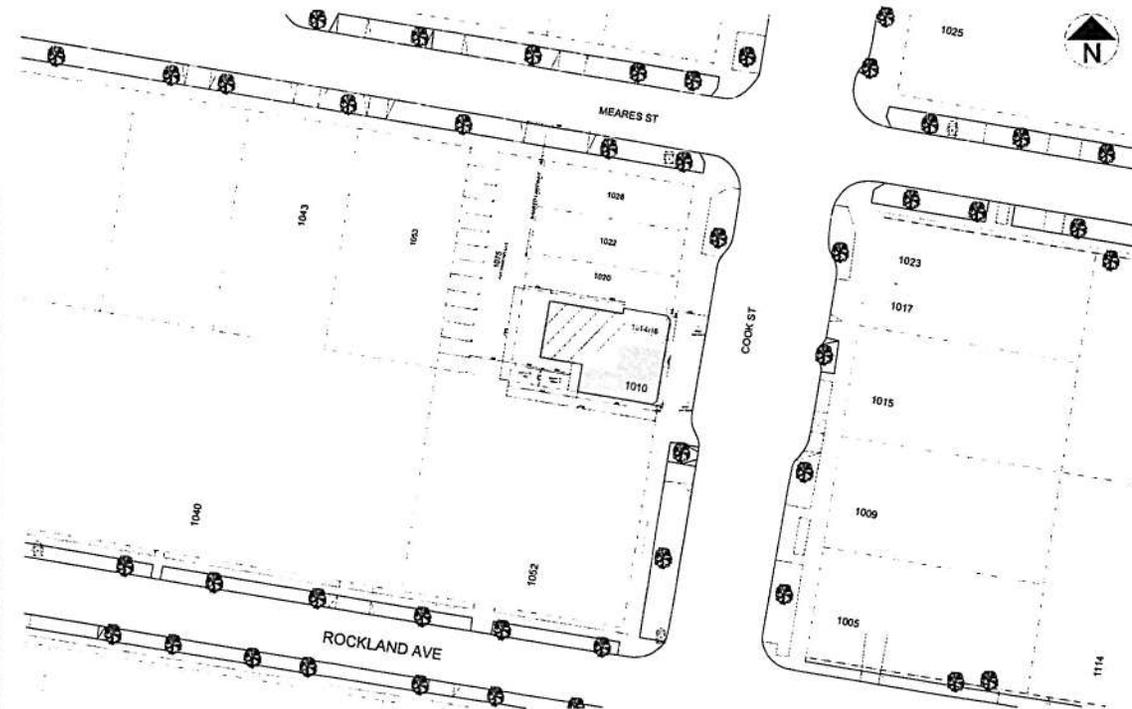
PROJECT INFORMATION TABLE	
Zone (Existing)	C-1
Site Area (sq.m)	377.9 sq.m
Unit Floor Area (sq.m)	88.3 sq.m
Parking Stalls (Number on Site)	Street Parking
Bicycle Parking Number (Class 1 and 2)	Class 1: 0, Class 2: 2

CITY OF VICTORIA  
**RECEIVED**  
FEB 16 2017

**DEEMED**  
NOV 16 2016

## CODE REVIEW

Item	2012 British Columbia Building Code, Class Matters	Part 3	BCBC 2012 Reference
1	Address		
2	Legal Description		
3	Project Location		
4	Project Description	Herb's Victoria	
5	Zone	C-1	14.12.1
6	Use	Commercial	14.12.1
7	Maximum Floor Area	88.3 sq.m	14.12.1
8	Maximum Height	12.0m	14.12.1
9	Maximum Floor Area Ratio	23.3%	14.12.1
10	Maximum Floor Area Ratio	23.3%	14.12.1
11	Maximum Floor Area Ratio	23.3%	14.12.1
12	Maximum Floor Area Ratio	23.3%	14.12.1
13	Maximum Floor Area Ratio	23.3%	14.12.1
14	Maximum Floor Area Ratio	23.3%	14.12.1



4	RECEIVED FOR REVIEW	2016-11-16
3	RECEIVED FOR REVIEW	2016-11-15
2	RECEIVED FOR REVIEW	2016-10-31
1	RECEIVED FOR REVIEW	2016-10-28



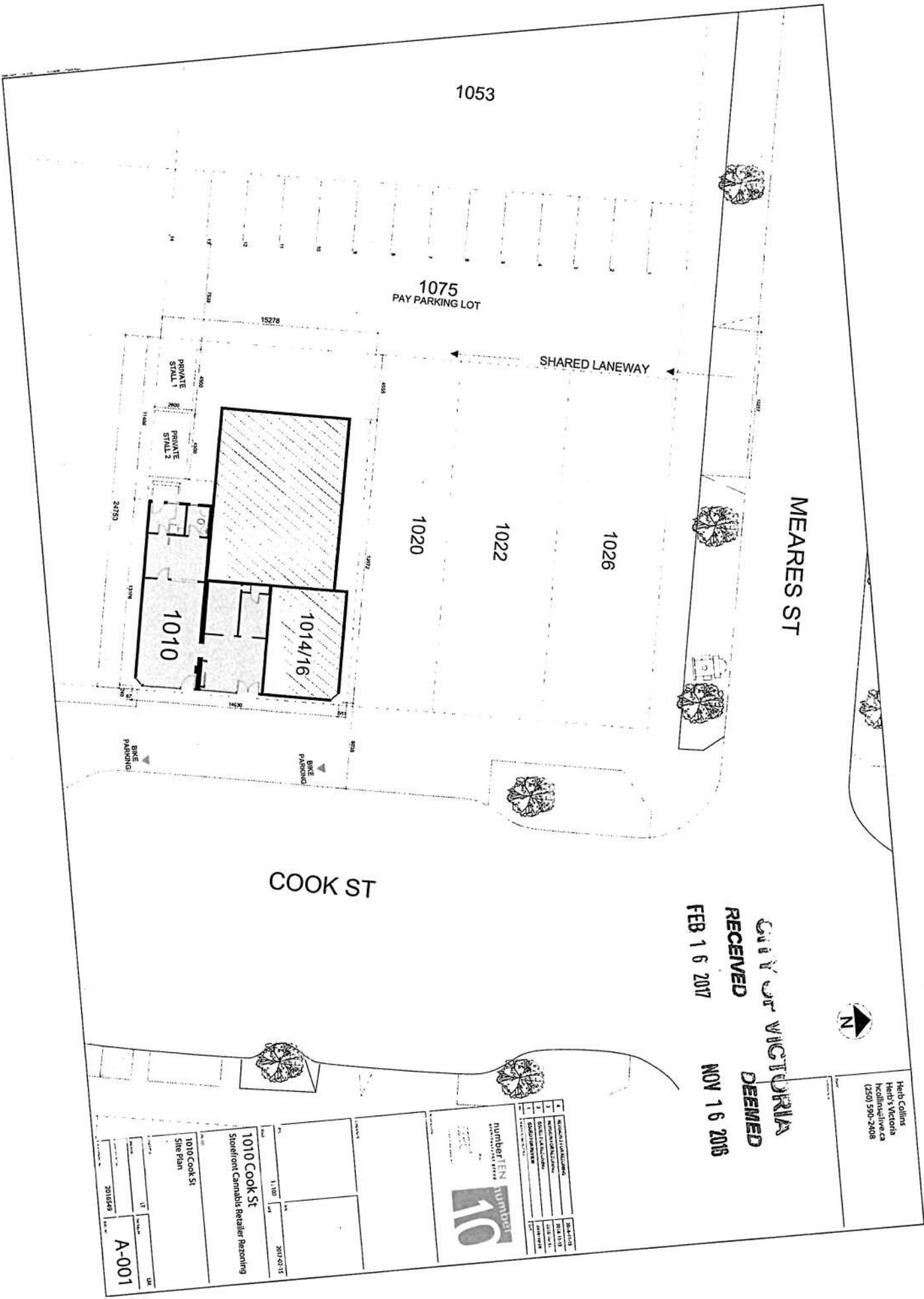
1010 Cook St  
Storefront Cannabis Retailer Rezoning

1010 Cook St  
Drawing List, Legend,  
Code Review, Project Information Table  
Overall Site Plan

PROJECT NO. 2016000  
DATE 2016-11-16  
DRAWN BY  
CHECKED BY  
SCALE  
PROJECT TITLE  
PROJECT NO.  
DATE

A-000

1 - Site Plan  
1:350

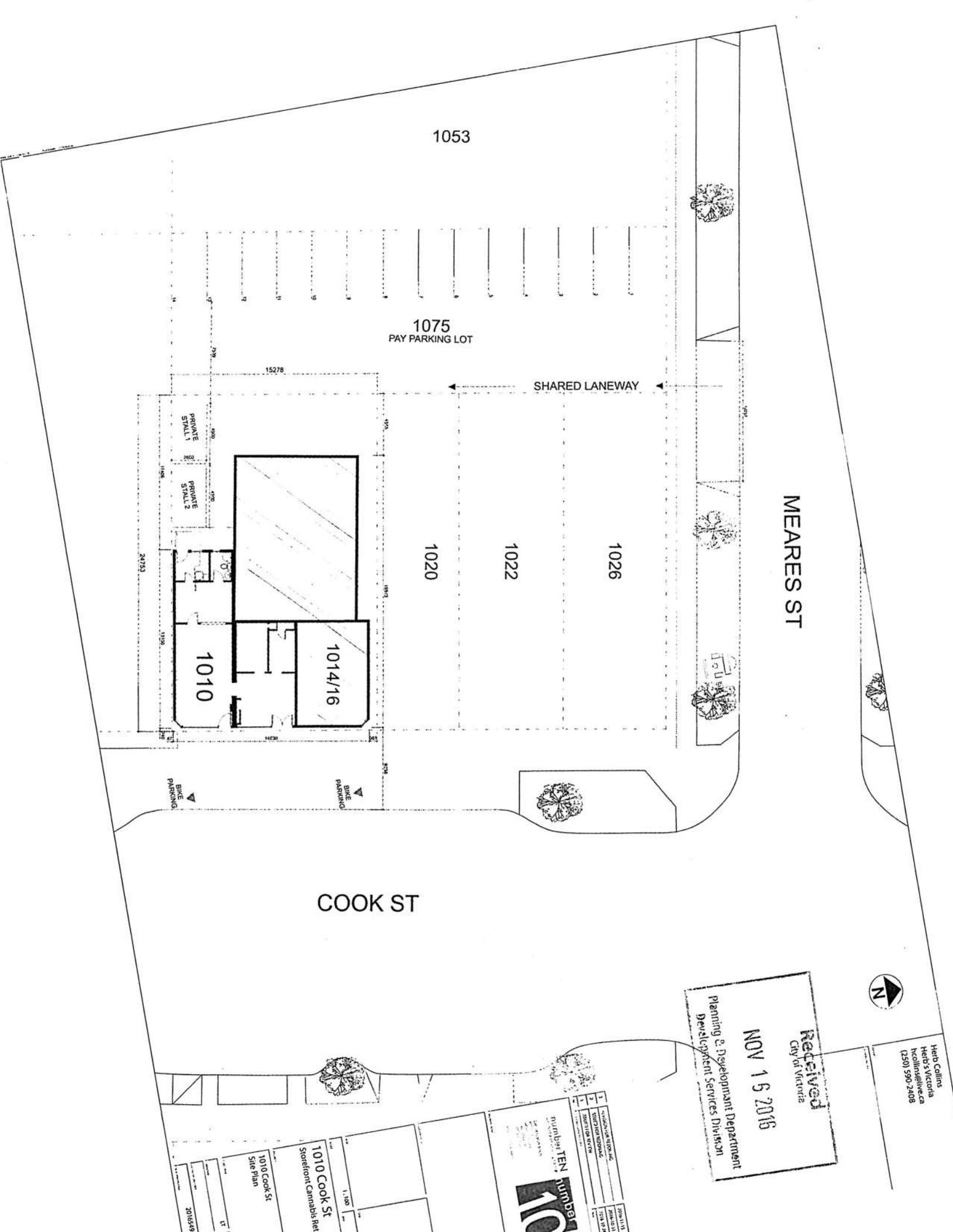


**CITY OF VICTORIA**  
**RECEIVED**  
 FEB 16 2017

**DEEMED**  
 NOV 16 2015

Harb Collins  
 Harb's Victoria  
 hcollins@vic.ca  
 (250) 590-2408

MUNICIPAL COUNCIL/COMMISSION NUMBER TEN NUMBER TEN 10 2015-07-15	2015-07-15 2017-07-15 1:100 1010 Cook St Site Plan 201549 A-001
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1053

1075  
PAY PARKING LOT

SHARED LANEWAY

MEARES ST

1020

1022

1026

1010

1014/16

COOK ST

BIKE PARKING

BIKE PARKING

PRIVATE STALL 1

PRIVATE STALL 2



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

Herb Collins  
hercollins@victoria.ca  
(250) 590-2408

1	1010 COOK ST	2016/4/9
2	1010 COOK ST	2016/4/9
3	1010 COOK ST	2016/4/9
4	1010 COOK ST	2016/4/9
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13	1010 COOK ST	2016/4/9
14	1010 COOK ST	2016/4/9
15	1010 COOK ST	2016/4/9
16	1010 COOK ST	2016/4/9
17	1010 COOK ST	2016/4/9
18	1010 COOK ST	2016/4/9
19	1010 COOK ST	2016/4/9
20	1010 COOK ST	2016/4/9



Herb Collins  
Herb's Victoria  
hcollins@live.ca  
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1 Entrance - East Face of Building



2 Entrance



3 West Face of Building



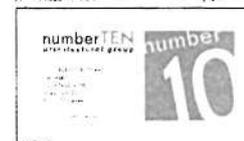
4 North/West Face of Building

Received  
City of Victoria

NOV 15 2016

Planning & Development Department  
Development Services Division

2	ISSUED FOR REVIEW	2016-10-31
1	ISSUED FOR PUBLIC COMMENT	2016-10-31

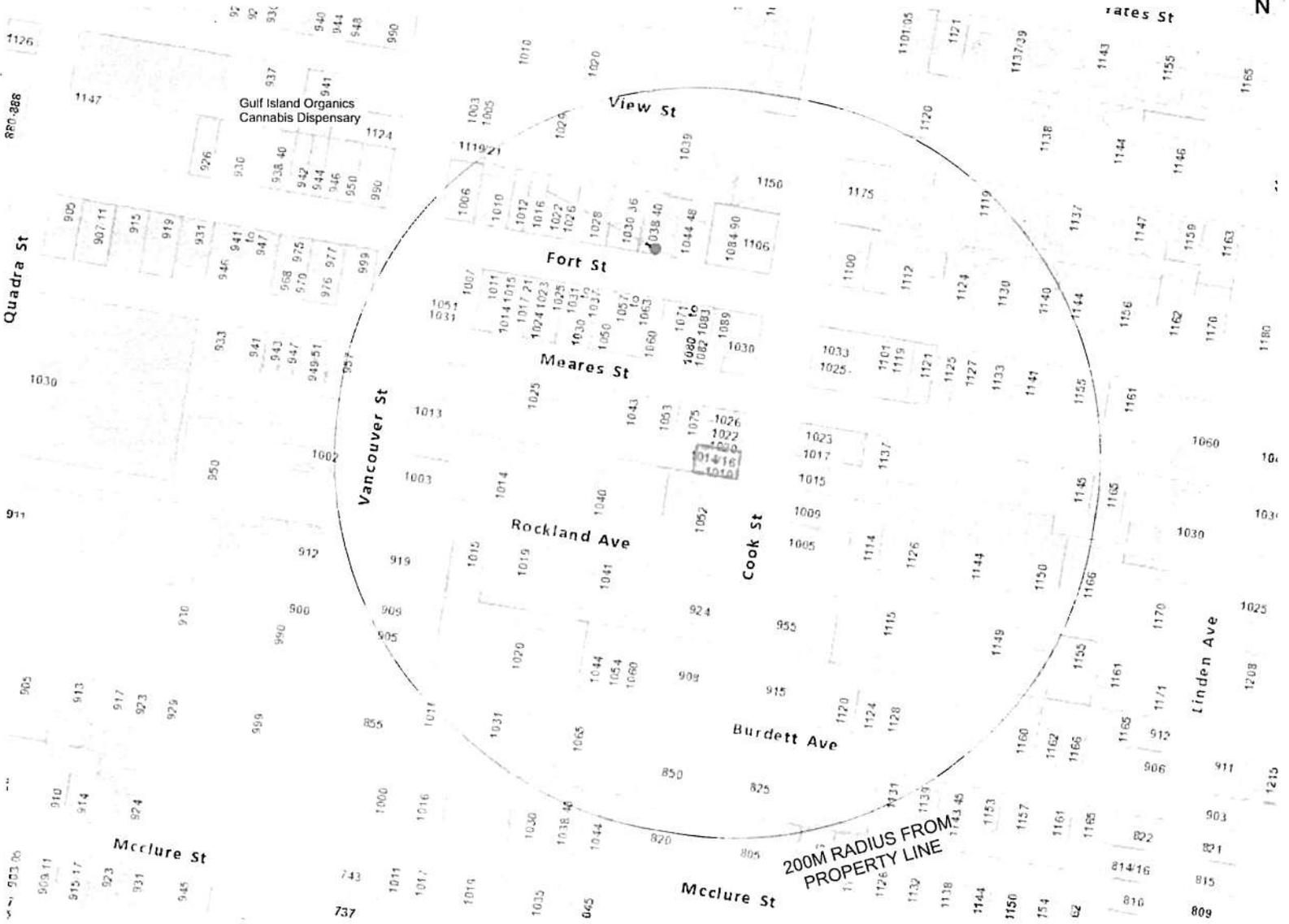


As Noted	2016-10-31
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1010 Cook St  
Storefront Cannabis Retailer Rezoning

1010 Cook St  
Exterior Photos

2016xxx	LM
A-003	



● OTHER CANNABIS STOREFRONTS WITHIN 200m RADIUS

200m RADIUS FROM  
 PROPERTY LINE

ISSUED FOR REZONING	2016-10-31
ISSUED FOR ADOPTION	2016-10-31



1:1000	2016-10-31
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**1010 Cook St**  
 Storefront Cannabis Retailer Zoning

1010 Cook St  
 200m Radius Map

LT	LM
2016	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