

## REPORTS OF COMMITTEES

1. Committee of the Whole – September 7, 2017
4. Rezoning Application No. 00581 for 2018-2030 Douglas Street and 649 Pembroke Street (Rock Bay)

**Motion:**

It was moved by Councillor Loveday, seconded by Mayor Helps, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00581 for 2018-2030 Douglas Street & 649 Pembroke 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**

**5.2 Rezoning Application No. 00581 for 2018-2030 Douglas Street and 649 Pembroke Street (Rock Bay)**

Committee received a report dated August 24, 2017, from the Director of Sustainable Planning and Community Development regarding an application to allow for the retail sale of cannabis.

Committee discussed:

- Other potential proposals for the site.

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00581 for 2018-2030 Douglas Street & 649 Pembroke Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

CARRIED 17/COTW

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

**Against:** Councillor Young



## Committee of the Whole Report For the Meeting of September 7, 2017

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**To:** Committee of the Whole **Date:** August 24, 2017  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Rezoning Application No. 00581 for 2018-2030 Douglas Street & 649  
Pembroke Street

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### RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00581 for 2018-2030 Douglas Street & 649 Pembroke 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 2018-2030 Douglas Street & 649 Pembroke Street. The proposal is to rezone from the M-1 Zone, Limited Light Industrial District, to a site-specific zone in order to permit the use of storefront cannabis retailer.

The following points were considered in assessing this application:

- the proposal is consistent with the Core Employment designation in the *Official Community Plan, 2012*
- the proposal is consistent with the General Employment designation in the *Burnside Gorge Neighbourhood Plan*
- the proposal is consistent with the *Storefront Cannabis Retailer Rezoning Policy*, as there are no schools within 200m or permitted storefront cannabis retailers within 400m.

## **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 are proposed. The property is split-zoned between the M-1 Zone, Limited Light Industrial District, and the M2-I Zone, Douglas-Blanshard Industrial District. However, the M-1 Zone encompasses the entirety of the building on the property, and thus this Rezoning Application will create a new site-specific Zone based on, and replacing the M-1 Zone. 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
- storefront cannabis retailer would be restricted to the ground floor
- storefront cannabis retailer would be restricted to a maximum floor area of 72m<sup>2</sup>, which is in keeping with the size of the existing operation.

All other requirements within the M-1 Zone, Limited Light Industrial District remain the same. The M2-I Zone that encompasses the parking lot at the west of the property will remain unchanged.

### **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.

### **Accessibility Impact Statement**

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

### **Land Use Context**

The area is characterized by one to two-storey buildings with uses that include light industry, various commercial businesses and retail.

### **Existing Site Development and Development Potential**

The site is presently a two-storey commercial building with retail uses fronting onto Douglas Street and industrial uses fronting onto Pembroke Street.

The site is split-zoned. Under the current M-1 Zone, Limited Light Industrial District, and the M2-I Zone, Douglas-Blanshard Industrial District, the property could be developed for a wide variety of light industrial uses with a floor space ratio of 3:1 and a maximum height of 15m.

### **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 Burnside Gorge Community Association CALUC. Also consistent with the Policy, the Application has been referred to School District No. 61 and the Victoria Police Department (VicPD). Between 2015 and 2017 (up to July 24), VicPD noted a decrease of service calls from two to one to the property and from 69 to 33 to the area in general.

### **ANALYSIS**

#### **Official Community Plan**

The *Official Community Plan 2012 (OCP)* identifies this property within the Core Employment urban place designation, within which commercial uses, including retail, are envisioned.

#### **Local Area Plans**

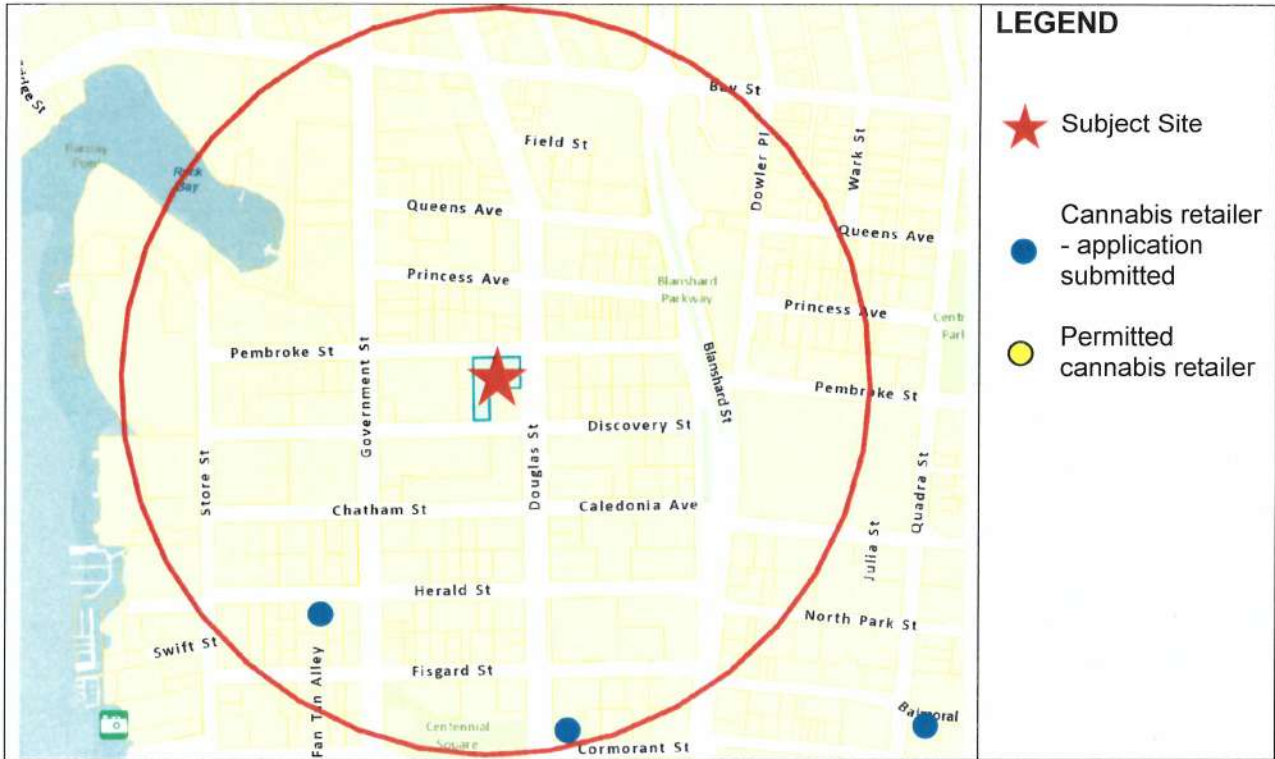
The *Burnside Gorge Neighbourhood Plan* identifies the property within the General Employment designation, within which retail uses are supported on the ground floor along arterial roads and areas with high pedestrian activity.

#### **Tree Preservation Bylaw and Urban Forest Master Plan**

There are no Tree Preservation Bylaw impacts, nor any impacts to public trees with this application.

#### **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 are within 200m and no permitted storefront cannabis retailers are within 400m of the property; however, at the time of writing this report there were two Applications currently under review within 400m of the subject property: 1601 Douglas Street is 353m away and 543-545 Herald Street is 271m away.



**Regulatory Considerations**

The site is presently split-zoned, with the front part of the lot facing Douglas Street and containing the building located in the M-1 Zone, Limited Light Industrial District, and the rear parking area located in the M2-I Zone, Douglas-Blanshard Industrial District. This Rezoning Application will maintain the M2-I Zone and create a new site-specific Zone to replace the M-1 Zone.

**CONCLUSIONS**

This proposal to permit the storefront cannabis retailer use is consistent with the *Official Community Plan* and the *Burnside Gorge Neighbourhood Plan* in accommodating ground floor retail. The proposal does not have any schools within 200m or permitted storefront cannabis retailers within 400m of the property.

**ALTERNATE MOTION**

That Council decline Rezoning Application No. 00581 for the property located at 2018-2030 Douglas Street and 649 Pembroke Street.

Respectfully submitted,

*M. Angrove* JHA

Michael Angrove  
Planner  
Development Services

*J. Tinney*

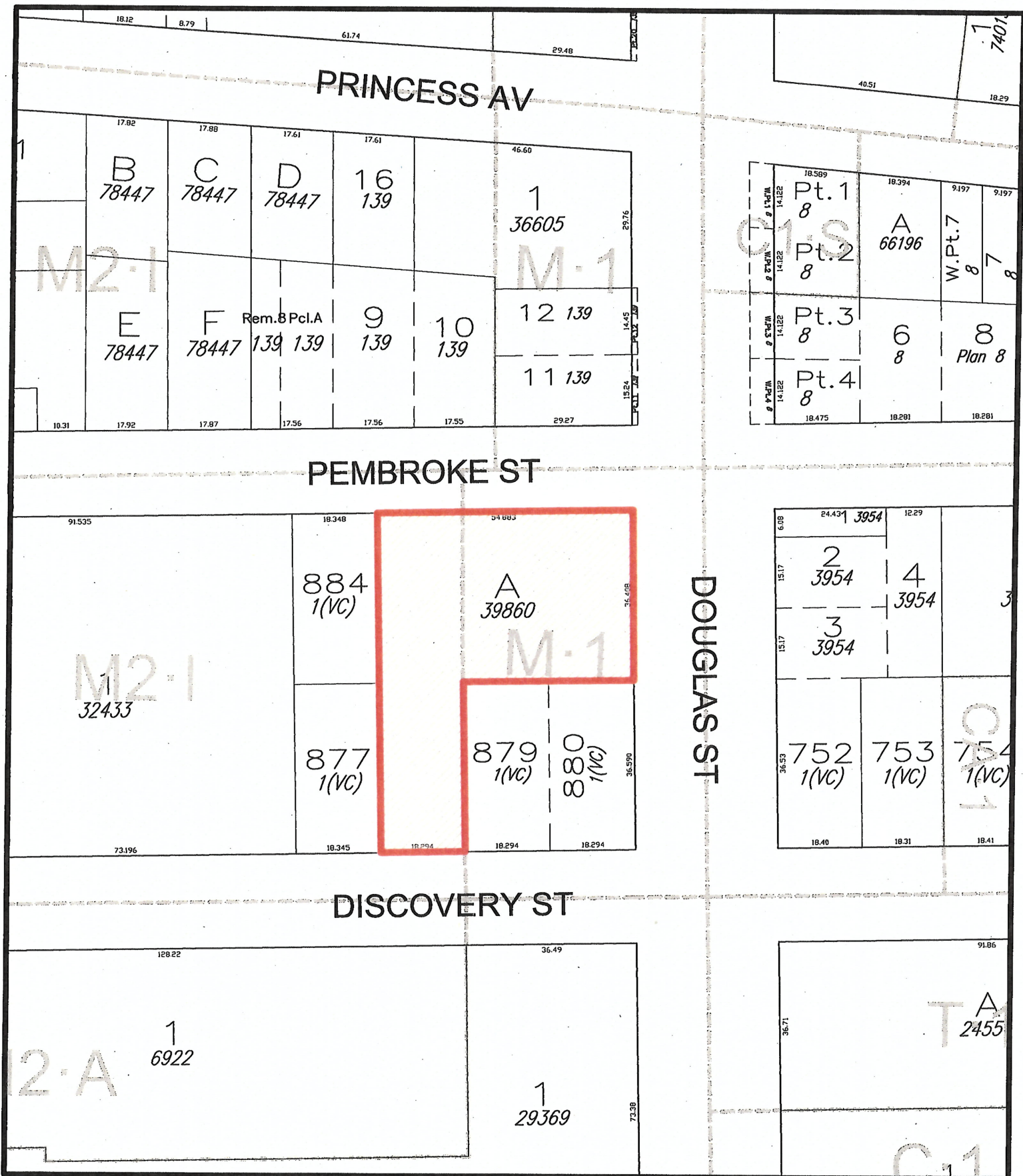
Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

*Jocelyn Serbanus*  
Date: Aug 30, 2017

**List of Attachments:**

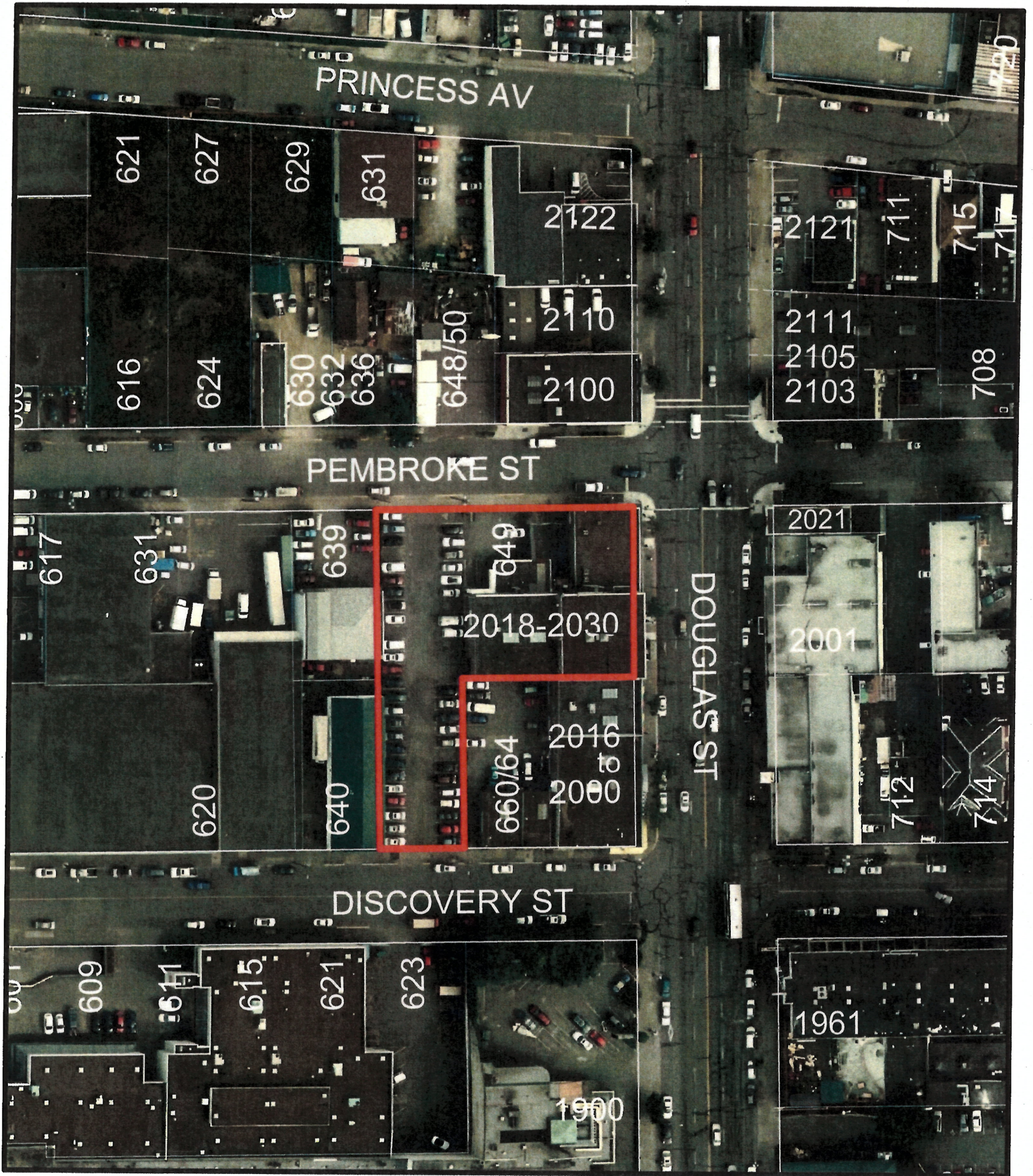
- Attachment A – Subject Map
- Attachment B – Aerial Map
- Attachment C – Plans date stamped April 21, 2017
- Attachment D – Letter from applicant to Mayor and Council received April 21, 2017



2018 to 2030 Douglas Street  
and 649 Pembroke Street  
Rezoning No.00581



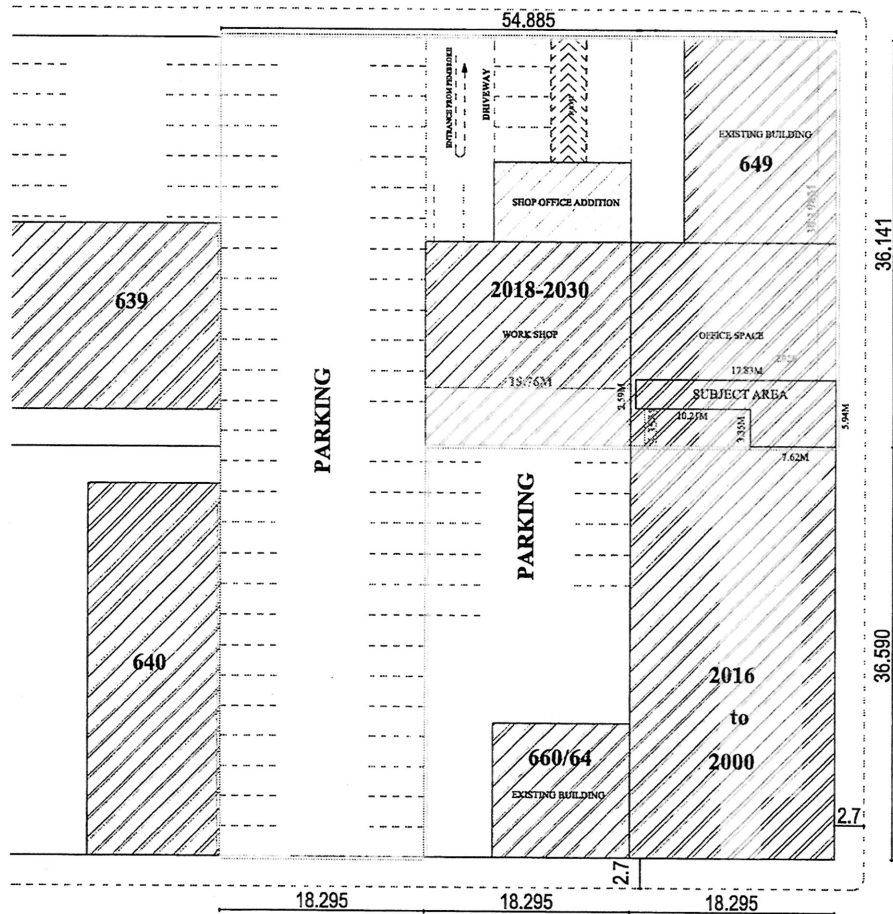




2018 to 2030 Douglas Street  
 and 649 Pembroke Street  
 Rezoning No.00581



Pembroke Street



Recovery Street

SITE PLAN  
SCALE 1:200



- LOT AREA= 2105 SQ M
- SUBJECT AREA= 71.72 SQ M
- PROPERTY LINE

**Received**  
City of Victoria

**APR 21 2017**

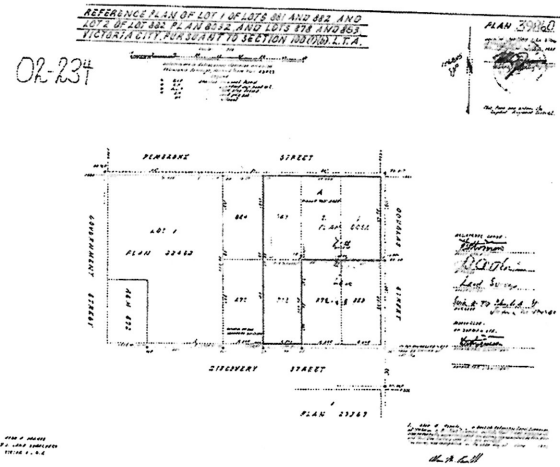
Planning & Development Department  
Community Planning Division

REVISIONS	BY

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FOR: easybuildingplans.com  
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URBAN EARTH MED  
2020 DOUGLAS  
VICTORIA, BC

Date	
Scale	
Drawn	
Job	
Sheets	
Of 8 Sheets	



APPROVED VICINITY MAP  
N.T.S

2020 DOUGLAS STREET  
VICTORIA BC

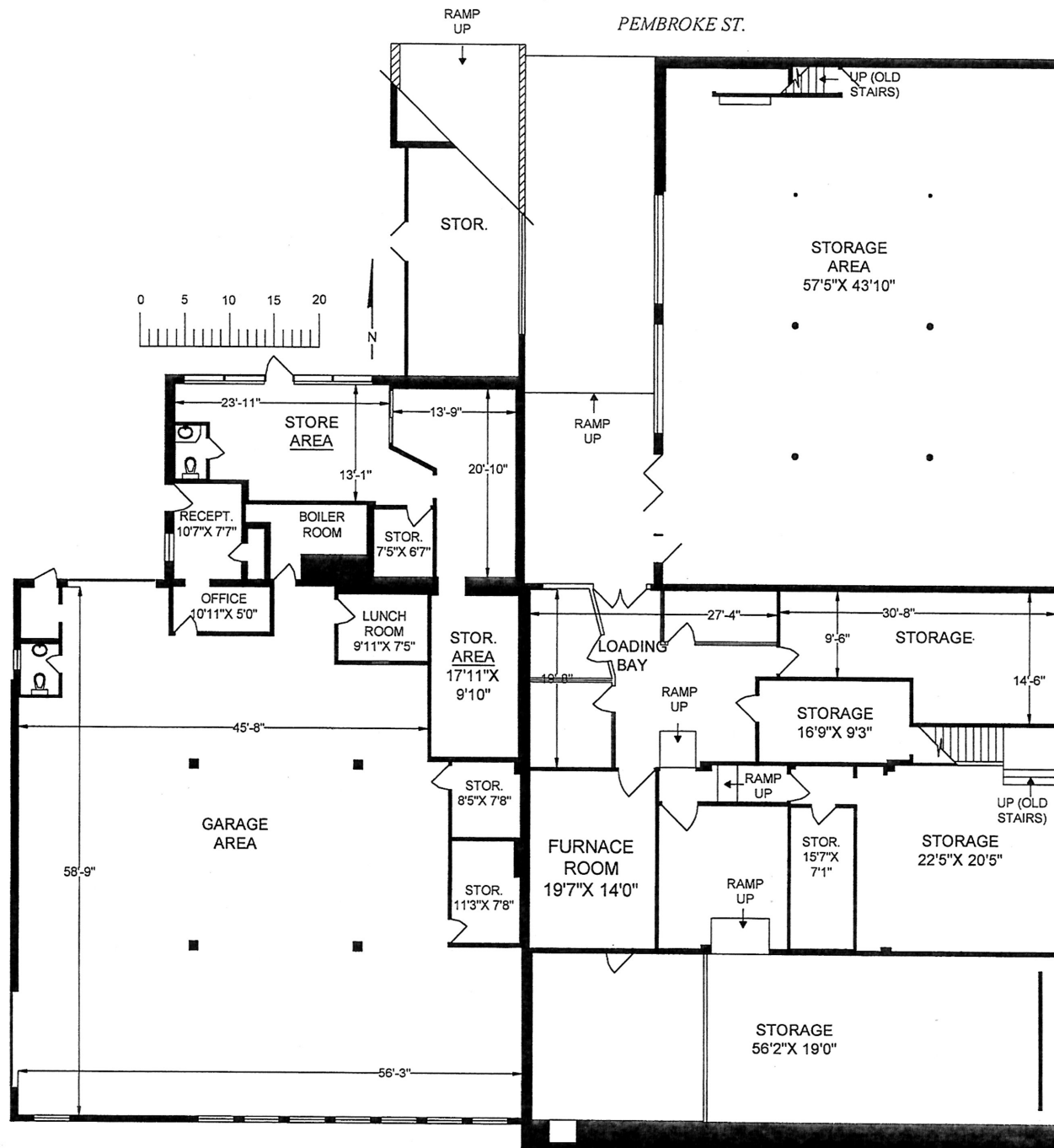
BASEMENT

PREPARED FOR:  
SHELLEY MICHAUX  
2020 DOUGLAS ST. #13  
VICTORIA BC V8T 4L1  
TEL 250 592 0799  
FAX 250 592 0702

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City of Victoria

APR 21 2017

Planning & Development Department  
Community Planning Division



FLOOR PLAN

SCALE: 1/16" = 1"

8 MARCH 2007

FILE #06-1025

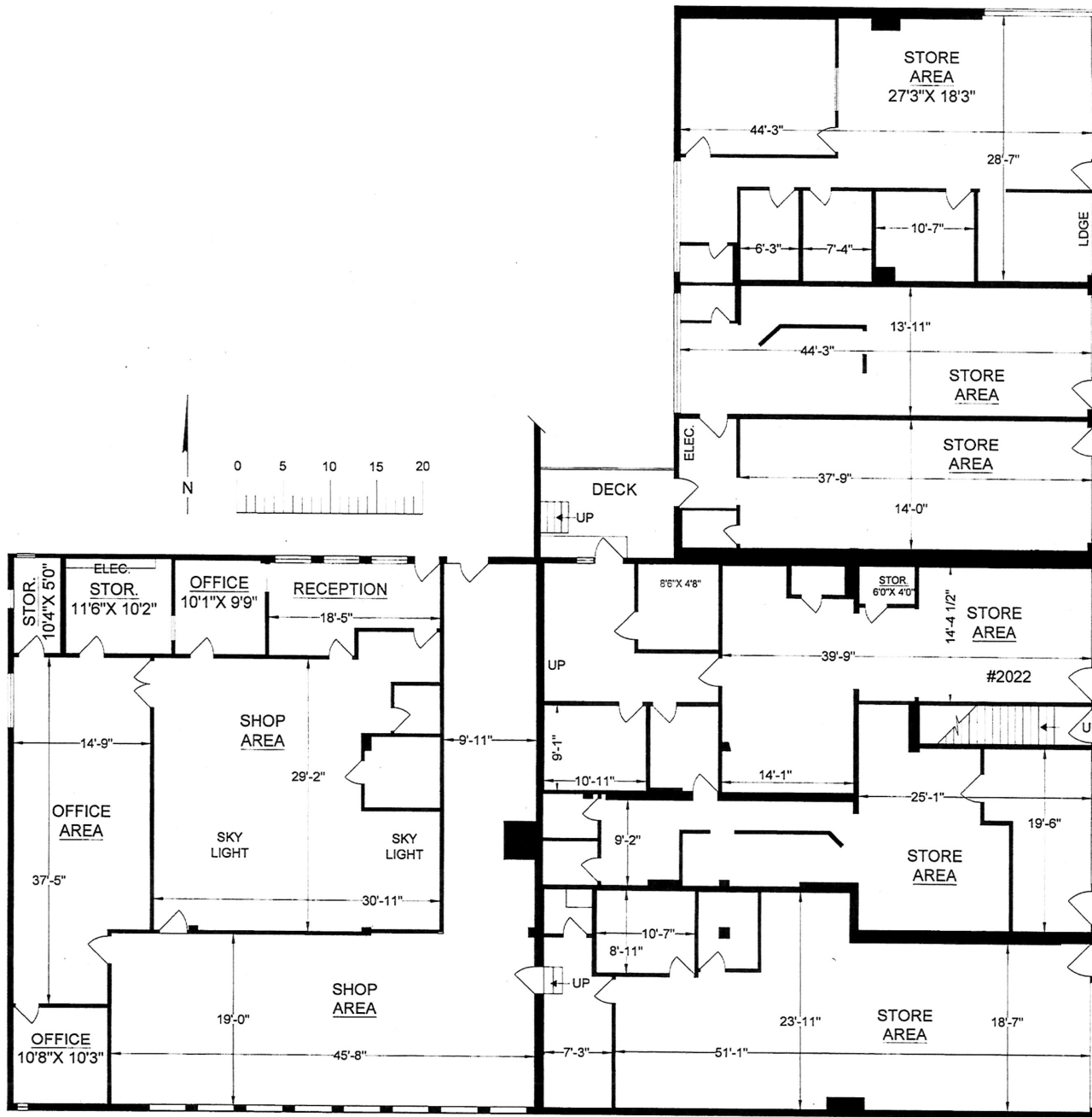
**M** MEASURE MASTERS  
VANCOUVER ISLAND  
- COMMERCIAL  
3035 WESTDOWNE ROAD  
VICTORIA BC V8R 5G2  
TEL 472-2653 FAX 472-2683

PEMBROKE ST.

2020 DOUGLAS STREET  
VICTORIA BC

MAIN FLOOR

PREPARED FOR:  
SHELLEY MICHAUX  
2020 DOUGLAS ST. #13  
VICTORIA BC V8T 4L1  
TEL 250 592 0799  
FAX 250 592 0702



DOUGLAS ST.

**CITY OF VICTORIA**  
**RECEIVED**      **DEEMED**  
JUN 30 2017      APR 21 2017

**Received**  
City of Victoria  
  
JUN 30 2017  
Planning & Development Department  
Development Services Division

FLOOR PLAN

SCALE: 1/4" = 1" WHEN  
PRINTED ON 26" x 48"

16 JUN 2017

FILE #06-1025

**M** **MEASURE MASTERS**  
**Measure** VANCOUVER ISLAND  
**Masters** - COMMERCIAL  
VANCOUVER ISLAND 3035 WESTDOWNE ROAD  
COMMERCIAL VICTORIA BC V8R 5G2  
TEL 472-2653 FAX 472-2683

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City of Victoria

APR 21 2017

Planning & Development Department  
Development Services Division

Lisa Helps and Council of Victoria

We are Urban Earth Med compassion club located at 2020a Douglas St in Victoria B.C. We are a compassion club focused on offering a safe, professional environment for adults needing access to medical cannabis. We are a compassion club established in 2011 that is made up of a family of three directors, two of which are born and raised in Victoria and we hold community and family close to our hearts. We are 1.1km from the closest school, 500 meters away from a community center and 400 meters of any other marijuana retailer. All of our Directors and staff have clean criminal back grounds and are not allowed to use any of our products in or around our location or during any working shifts. We also have a member code of conduct in place to ensure our members will not use our products in or around our location or their memberships will be revoked. Being a family run compassion club safety of children and minors is very important to us and we do not allow any minors under the age of 19 to enter our premises. We have established good standing relationships with all the business's located on our block and we make it a priority to ensure they are happy with our operations at all times. We will not be making any changes or adjustments to the building and there will be no renovations to our location. There is an option for paid parking in the back lot behind our building and off street parking located in front of our store. We are located behind a bus stop so many bikes have access to our location from the stop. In regards to the CPTED we have a camera located in the front of our store and 5 cameras through out our store, that are recording 24/7. We have a monitored alarm system, our staffs have panic buttons and we also have bars located on the front of our windows. All of our staff have been trained on risk situations and explained how to use the panic buttons. We make it a priority to follow any rules put forth by

the city in regards to Marijuana retailers and do not carry any edibles and our hours are between 10am-8pm. and are happy to make any additional changes that may be requested. We thank you for taking the time to review our application and we do hope to be able to continue to be a good part of the community of Victoria.

Sincerely  
Lee Jackson  
Managing Director  
Urban Earth Med

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Rezoning Application  
for  
2018-2030 Douglas Street &  
649 Pembroke



