

REPORTS OF COMMITTEES

1. Committee of the Whole – March 2, 2017

1. Rezoning Application No. 00552 for 695 Alpha Street

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 the Rezoning Application No. 00552 for 695 Alpha Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Carried Unanimously

4. LAND USE MATTERS

4.1 Rezoning Application No. 00552 for 695 Alpha Street (Burnside)

Committee received a report dated February 17, 2017 from the Director of Sustainable Planning and Community Development regarding a request to rezone the property located at 695 Alpha Street from its current C-1 zone to a site-specific zone to allow for retail sale of cannabis.

Motion: It was moved by Councillor Isitt, seconded by Councillor Coleman, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in the Rezoning Application No. 00552 for 695 Alpha Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY 17/COTW



Committee of the Whole Report

For the Meeting of March 02, 2017

To: Committee of the Whole **Date:** February 17, 2017

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

Subject: Rezoning Application No. 00552 for 695 Alpha 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. 00552 for 695 Alpha 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 695 Alpha 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 Town Centre designation in the *Official Community Plan 2012*
- the proposal is consistent with the Major Commercial land use designation in the *Burnside Neighbourhood Plan, 1992*
- the proposal is consistent with the *Storefront Cannabis Retailer Rezoning Policy*, as there are no schools or other 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 300m², which is in keeping with the size of the existing operation.

All other requirements within the C-1 Zone 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 immediate area is characterized by small scale retail, which at this time specifically focuses on the provision of construction supplies. Other uses include a café and a dog grooming/day care service. The subject property is located to the west of Mayfair Mall.

Existing Site Development and Development Potential

The site is presently developed as a single-storey commercial building with eight surface parking stalls at the front of the property. The building is already being used as a storefront cannabis retailer. Under the current C-1 Zone, the property could be 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 Meeting is waived unless the application involves construction of a new building; however, consistent with Council's Policy the application was referred to the Community Association Land Use Committee, 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* (OCP) lists this property within the Town Centre urban place designation, within which commercial activities are an envisioned use.

Local Area Plan

The *Burnside Neighbourhood Plan* identifies this property within the Major Commercial land use designation. The application is consistent with the neighbourhood plan, in which commercial activity should be focused on retail stores, tourist accommodation, and restaurants.

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 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 relevant zone, and as such there are no variances.

CONCLUSIONS

This proposal to permit the storefront cannabis retailer use is consistent with both the *Official Community Plan* and the *Burnside Neighbourhood 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. 00552 for the property located at 695 Alpha 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: Feb. 23, 2017

List of Attachments

- Subject Map
- Aerial Map
- Plans date stamped December 15, 2016
- Letter from applicant to Mayor and Council dated December 09, 2016

MUNICIPALITY OF SAANICH

TOLMIE AV

ALPHA ST

SPEED AV

DOUGLAS ST

3198
3196
3194

3195

3180

3172

3140

3110

695

661

650

630

643

647

615

629

609

607

60

606

625

619

628/46

682

1/25

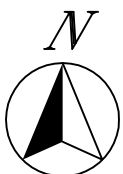
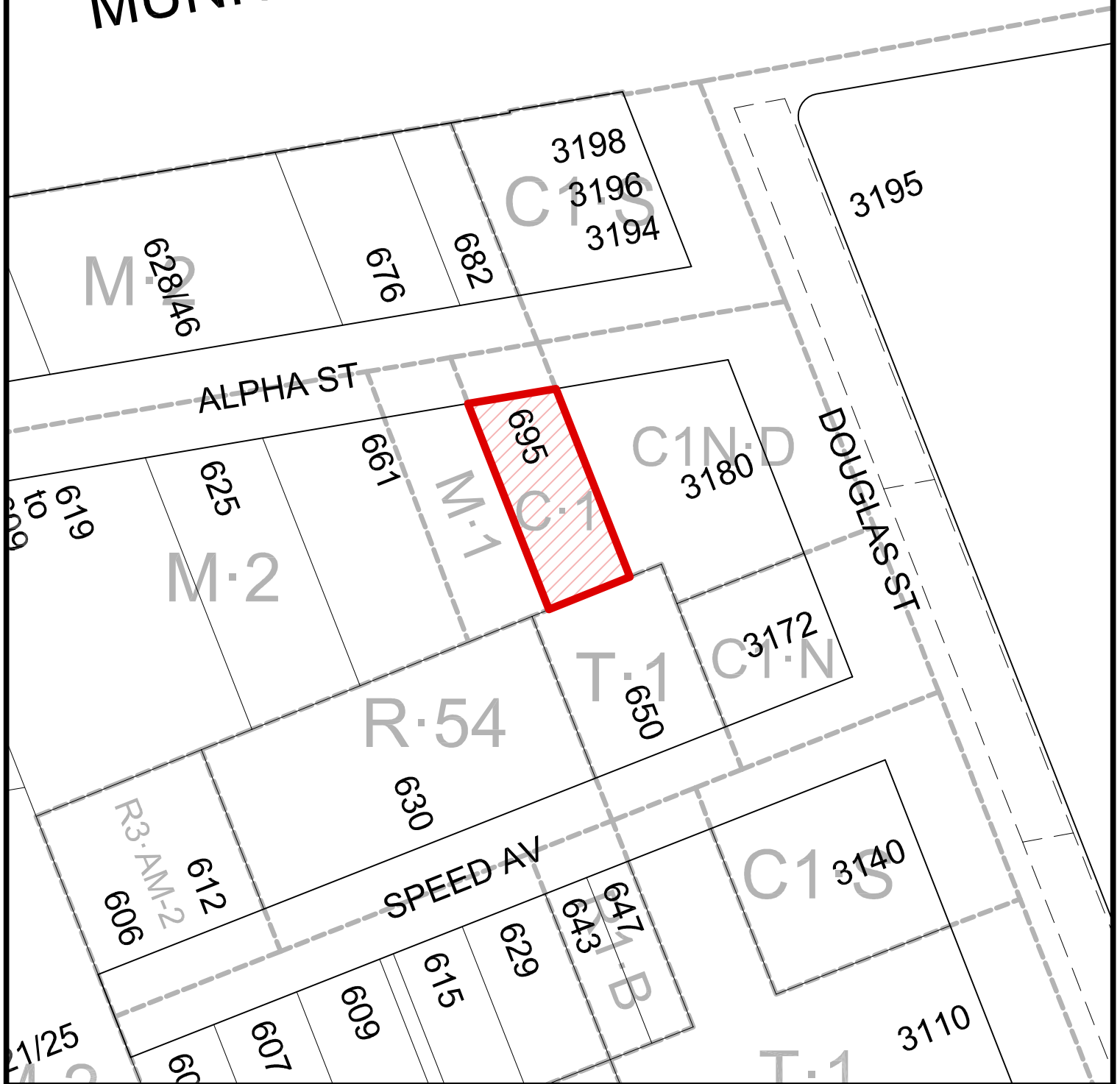


695 Alpha Street
Rezoning No.00552



MUNICIPALITY OF SAANICH

TOLMIE AV



695 Alpha Street
Rezoning No.00552



Rezoning to

TREES, 695 ALPHA STREET

Alex Robb
Trees Dispensary
alex@treesdispensary.com
Cell: (250) 891-5971
Office: (778) 265-8733

LEGEND

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

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

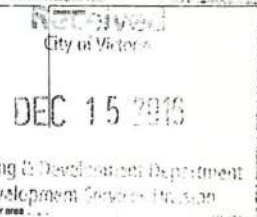
PROJECT INFORMATION TABLE	
Zone (Existing)	C-1
Site Area (sq.m)	781.5 sq.m
Unit Floor Area (sq.m)	283.6 sq.m
Parking Stalls (Number on Site)	Required: 7 Provided: 8
Bicycle Parking Number (Class 1 and 2)	Class 1: 0 Class 2: 0

Parking Calculation - Schedule C

C4 - Retail Stores - 1 space per 37.5 sq.m-gross floor area
Gross Floor Area - 278.2 sq.m

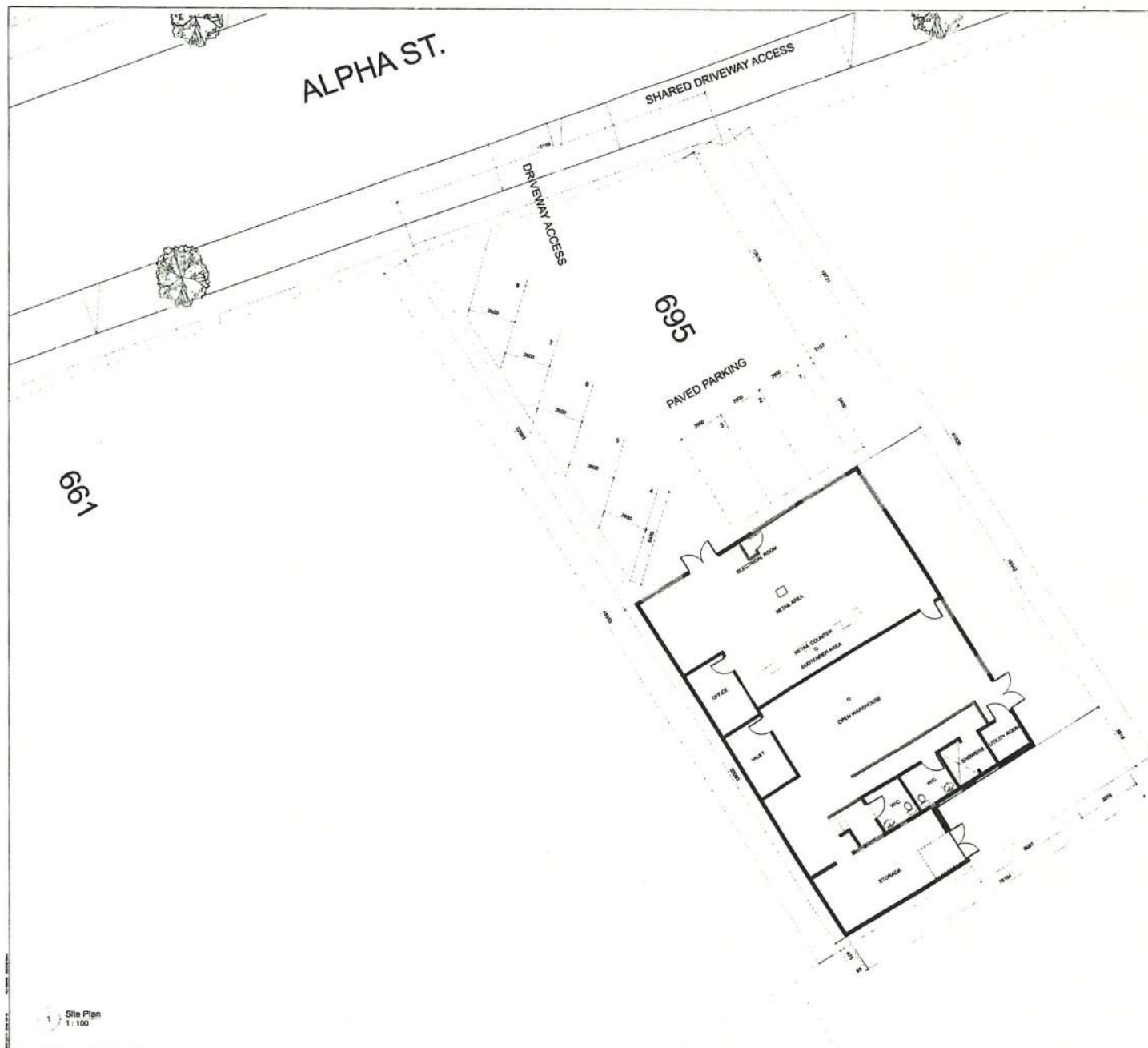
278.2 sq.m / 37.5 sq.m = 7.4

Required Parking Stalls - 7 Stalls



CODE REVIEW

Item: 2012 British Columbia Building Code, Data Matrix Part 3: BCBC 2012 Reference	
1 Address	695 Alpha Street, Victoria BC
2 Legal Description	Lot 1, Block 1, Plan 1/2016, 1/2017, 1/2018, 1/2019, 1/2020, 1/2021, 1/2022, 1/2023, 1/2024, 1/2025, 1/2026, 1/2027, 1/2028, 1/2029, 1/2030, 1/2031, 1/2032, 1/2033, 1/2034, 1/2035, 1/2036, 1/2037, 1/2038, 1/2039, 1/2040, 1/2041, 1/2042, 1/2043, 1/2044, 1/2045, 1/2046, 1/2047, 1/2048, 1/2049, 1/2050, 1/2051, 1/2052, 1/2053, 1/2054, 1/2055, 1/2056, 1/2057, 1/2058, 1/2059, 1/2060, 1/2061, 1/2062, 1/2063, 1/2064, 1/2065, 1/2066, 1/2067, 1/2068, 1/2069, 1/2070, 1/2071, 1/2072, 1/2073, 1/2074, 1/2075, 1/2076, 1/2077, 1/2078, 1/2079, 1/2080, 1/2081, 1/2082, 1/2083, 1/2084, 1/2085, 1/2086, 1/2087, 1/2088, 1/2089, 1/2090, 1/2091, 1/2092, 1/2093, 1/2094, 1/2095, 1/2096, 1/2097, 1/2098, 1/2099, 1/2100, 1/2101, 1/2102, 1/2103, 1/2104, 1/2105, 1/2106, 1/2107, 1/2108, 1/2109, 1/2110, 1/2111, 1/2112, 1/2113, 1/2114, 1/2115, 1/2116, 1/2117, 1/2118, 1/2119, 1/2120, 1/2121, 1/2122, 1/2123, 1/2124, 1/2125, 1/2126, 1/2127, 1/2128, 1/2129, 1/2130, 1/2131, 1/2132, 1/2133, 1/2134, 1/2135, 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City of Victoria

DEC 15 2015

Planning & Development Department
Development Services Division

3180

2	ISSUED FOR REVIEW	2016-12-12
1	ISSUED FOR REVIEW	2016-10-20
1	ISSUED FOR REVIEW	2016-10-20

number **TEN** number **10**

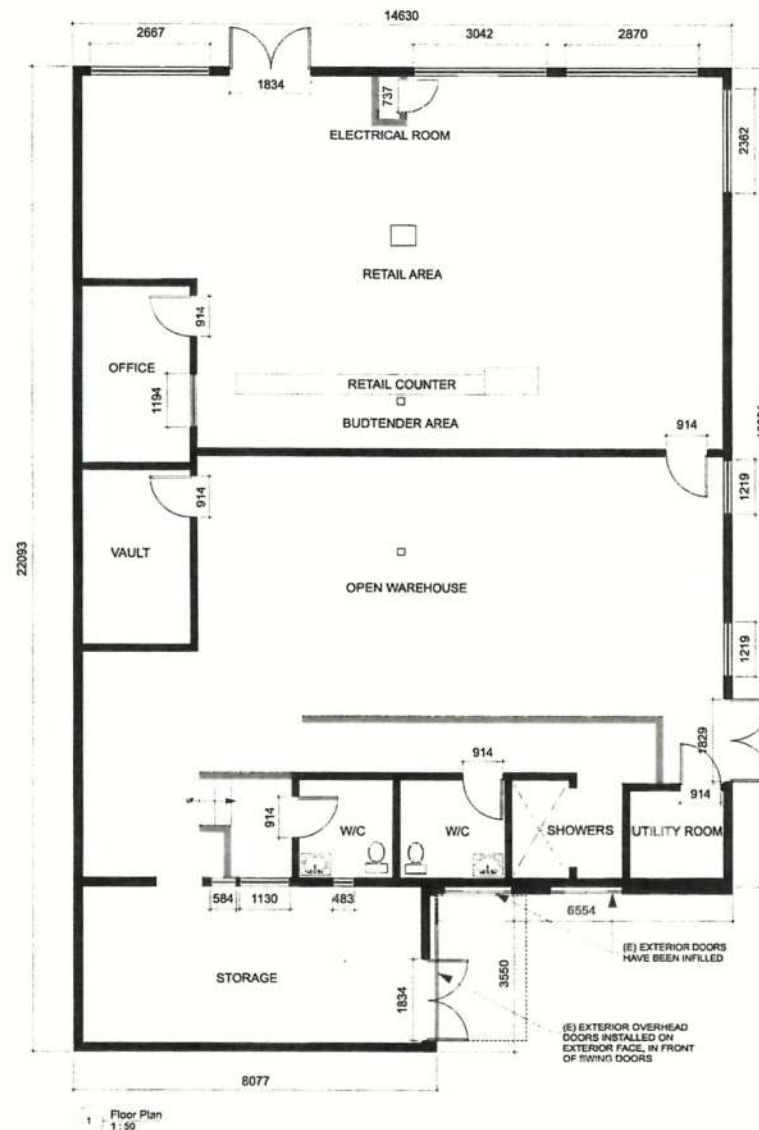
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DATE	1:100	2016-12-12
DATE	1:100	2016-12-12

695 Alpha Street
Storefront Cannabis Retailer Rezoning

695 Alpha Street
Site Plan

DATE	LT	LM
DATE	2016528	A-001



1 Floor Plan
1:50



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DEC 15 2018

Planning & Development Department
Development Services Division

2	ISSUED FOR REVIEWING	2018-12-12
1	ISSUED FOR REVIEWING	2018-10-20



DATE	1:50	2018-12-12
DATE	1:50	2018-12-12

695 Alpha Street
Storefront Cannabis Retailer Rezoning

695 Alpha Street
Existing Floor Plan

DATE	1:50	2018-12-12
DATE	1:50	2018-12-12
DATE	1:50	2018-12-12
DATE	1:50	2018-12-12

A-002



1 Entrance On Alpha - North Face Of Building



2 East Face Of Building



3 South Face Of Building



4 South Face Of Building

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DEC 15 2016

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Development Services Division

2	ISSUED FOR REVIEWING	2016-12-12
1	ISSUED FOR REVIEWING	2016-10-20

numberTEN architectural group
10

DATE	2016-12-12
BY	

DATE	2016-12-12
BY	

695 Alpha Street
Storefront Cannabis Retailer Rezoning

695 Alpha Street
Exterior Photos

DATE	2016-12-12
BY	
DATE	2016-12-12
BY	

A-003



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DEC 15 2015

Planning & Development Department
Development Services Division

1	SEARCHED FOR REZONING	2015-12-12
2	INDEXED FOR REZONING	2015-12-28
3	APPROVED FOR REZONING	



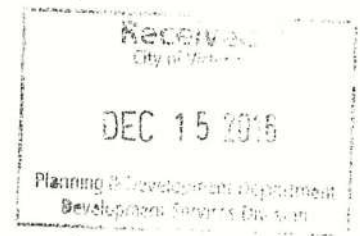
695 Alpha Street
Storefront Cannabis Retailer Rezoning

695 Alpha Street
200m Radius Map

UT	LM
2016528	A-004



NO OTHER CANNABIS STOREFRONTS WITHIN 200m RADIUS



To: Mayor Lisa Helps and members of Victoria City Council

From: Alex Robb, Community Liaison for Trees Dispensary, and for Eden Medicinal Society Canada

Date: December 9, 2016

Subject: Rezoning for Cannabis-related business for 695 Alpha Street

Dear Mayor and City Council,

It is an honour to be submitting this letter with our completed application package for rezoning for cannabis-related business for the property at 695 Alpha Street.

Description of Proposal

The medical cannabis storefront on Alpha Street began operations in September 2015 as Eden Medicinal Canada Society. On June 20th 2016, Eden Medicinal Canada Society and Trees Dispensary came to a participation agreement such that Trees Dispensary began operatorship of the storefront to provide a Vancouver Island-based management team and locally sourced medical cannabis products.

The location does not fall within any 200m radius surrounding a school nor are there any other dispensaries within a 200m radius of the property line. The storefront's location in the Northern region of the City make it the closest cannabis dispensary to the highway, and therefore easily accessible to patients requiring medical cannabis in the outlying regions of the city.

City Policy

This rezoning application conforms to the City's Cannabis Storefront Rezoning Policy in every way. It is not within 200 meters of any community centres or schools. And no public nuisance is created by its operation.

Project Benefits and Amenities

The economic, environmental, and social benefits of this project are numerous. The regulation of this business sector in Victoria will stimulate the local economy, making the City a hub of an emerging regulated and taxed business sector in the city, and so help transition this industry that was previously taking place in an informal, unregulated and untaxed manner, toward a better regulated marketplace. The cannabis industry on Vancouver Island contributes significantly to the economy and offers quality, high paying employment for Victoria's young population, many of whom are highly educated, especially in the field of alternative healthcare. The people who work at this storefront have expertise in the medical application of cannabis in the forms of oils, edible products, balms, and bath products, as well as the flower of the cannabis plant.

Eden Medicinal Society and Trees Dispensary have sought to promote education about cannabis as a medicine, adjunct therapy for terminal illness, and harm reduction tool by offering educational workshops in our own facility and at other venues across town: including the Our Place Housing Society, the headquarters of PEERS (the Prostitutes Empowerment and Education Resource Society) in Victoria West. Trees Dispensary also provides a \$200 per month budget for Aids Vancouver Island (AVI) so they can provide food for their drop-in nights. We have invited AVI related nurses to give workshops to our staff on the administration of Naloxone, and we have Naloxone kits on site at each store and are able to intervene quickly to administer it in the event of an emergency situation of someone overdosing on opioids in the vicinity. In addition Trees provides a subsidy of up to \$200 per month to members who require large amounts of cannabis products for the treatment of their illness and do not have the financial means to pay.

Neighbourhood

The proposed development contributes to neighbourhood vibrancy by offering medical cannabis products to people in the neighbourhood who may be dealing with chronic pain or a variety of other ailments, and this location serves denizens of the outlying regions that would otherwise have to drive into the downtown core to obtain their medicine. The storefront has also attracted employees who wish to live close to where they work, and so has assisted with rising tenancy rates in the area. We have excellent relations with neighbouring business in the area, and we intend on supporting local business whenever possible.

Impacts

A cannabis dispensary operating in this area has no negative impacts to the community or neighbourhood.

Design and development permit guidelines

The current site of 695 Alpha Street has a C-1 zoning which allows for the use of the premises as retail sales.

Safety and security

Trees Dispensary's presence in the area has contributed to the safety and security of the neighbourhood, and a decrease in petty crime in the immediate area. Our 24-hour high definition camera system can be used to provide information on crimes that may happen in the neighbourhood after hours. We have designed the vault, and secure room, to mitigate risk of robbery, and we have policies instructing our staff what to do in the case of robbery, fire, earthquake, or health emergency.

Transportation

Under the zoning requirements of Schedule C, 1 parking space is to be provided per 37.5sq.m of gross floor area for retail stores, the 7 parking spaces provided on site meet this requirement.

Heritage

This property does not have heritage status and no heritage buildings are effected by this application.

Thank you for your consideration and for your efforts to bring about regulation to this business sector in Victoria. I look forward to further developing the Trees business in Victoria and finding other ways to contribute to this vibrant community.

All best wishes,


Alex Robb