



# The Corporation of the District of Central Saanich

## REGULAR COUNCIL REPORT

For the Regular Council meeting on Monday, February 26, 2024

Re: 6765 Veyaness Road – Temporary Use Permit Bud’s Cannabis

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### **RECOMMENDATION(S):**

1. *That Temporary Use Permit #3100-20-6/23 (6765 Veyaness Road) be approved for issuance for a period of three (3) years.*
2. *That in accordance with s. 493.1 of the Local Government Act, Council delegate renewal of Temporary Use Permit #3100-20-22/23 (6765 Veyaness Road) to the Director of Planning and Building Services subject to the following:*
  - a) *That notification clearly states the temporary use may be considered for a period up to six (6) years,*
  - b) *That there are no ongoing bylaw enforcement issues or history of complaints related to the use,*
  - c) *That the permit terms and conditions would remain the same or be more stringent in nature such that the approved temporary uses are not expanded.*

### **PURPOSE:**

The applicant is requesting a new Temporary Use Permit to continue to operate Bud’s Cannabis, a cannabis retail store, within the existing 110m<sup>2</sup> space located at 6765 Veyaness Road (Appendix A). Bud’s Cannabis has operated under a previous TUP for six years and the request is to continue the retail cannabis use under the same conditions.

### **BACKGROUND:**

The District has received an application for a new Temporary Use Permit to extend the cannabis retail store “Bud’s Cannabis” use on the subject property at 6765 Veyaness Road. The applicant is not the owner of the subject property; therefore, has chosen to apply for a Temporary Use Permit (TUP) rather than rezoning the lands. The property has been subject to a previous TUP for up to 6 years for the same owner/operator (Bud’s Cannabis).

The subject property is located in the Keating Industrial area and the Official Community Plan Land Use Designation is Light Industrial. A previous application for a Temporary Use Permit includes a site-specific use allowing for a retail cannabis store for the subject property. The subject property is zoned Industrial

I-1 which includes a range of light industrial uses. To the north, south and east the properties are zoned and designated for similar industrial uses. Across Veyaness Road the designated Commercial C-3 fronting Keating Road and Industrial I-1 to the north. A Temporary Use Permit will allow cannabis retail store as a permitted use on a temporary basis (three years, with opportunity to renew for another three years).

The property is approximately 2,980m<sup>2</sup> in area, relatively flat and two buildings are located on the subject property. Bud’s Cannabis is located in the building fronting Veyaness Road. The store area is not proposed to change and is 110m<sup>2</sup> in area, half of which is used for the retail area and half is used for storage, staff area, office space, and a washroom.

**DISCUSSION:**

**Official Community Plan (OCP)**

The OCP includes Cannabis Retail Policies and Guidelines. Table 1 in Appendix B shows the policies and guidelines that are met by this application. A referral to the Central Saanich Police and Bylaw Enforcement Department confirms that Guidelines 10, 11, and 12 have been met and there have been no history of bylaw enforcement, nuisance, criminal, or security matters related to cannabis retail at that location. All policies and guidelines are met.

**Land Use Bylaw**

The site is zoned I-1 'Light Industrial', which allows for retail sales limited to: agricultural equipment, marine equipment, office equipment, construction equipment, garden and pet supplies, furniture and appliances, and tires. There is sufficient on-site parking available and no variances are requested.

**Site Location**

The OCP allows Temporary Use Permit in any zone of the District and Bud’s Cannabis at 6765 Veyaness Road is allowed by a site specific enablement in the OCP.

**Permit Considerations**

A Temporary Use Permit (TUP) is approved for three years and can be renewed once, for an additional three years. It is recommended that the renewal be delegated to the Director of Planning and Building Services provided that the initial notification clearly states that the permit may be issued for up to six years. Additional permit conditions are included in the staff recommendation and the draft permit in Appendix C.

If the TUP is approved for three years and then renewed once, that allows for up to six years for the business to operate without the need for additional permits at this time.

**IMPLICATIONS:**

**Communications**

The District provided notification as per the Development Applications Procedures Bylaw and the Public Notice Bylaw. The notice included details on the proposal and identified that the TUP could be active on the subject property for up to six years.

**OPTIONS:**

**OPTION 1**

1. That Temporary Use Permit #3100-20-6/23 (6765 Veyaness Road) be approved for issuance for a period of three (3) years.
2. That in accordance with s. 493.1 of the Local Government Act, Council delegate renewal of Temporary Use Permit #3100-20-22/23 (6765 Veyaness Road) to the Director of Planning and Building Services subject to the following:
  - d) That notification clearly states the temporary use may be considered for a period up to six (6) years,
  - e) That there are no ongoing bylaw enforcement issues or history of complaints related to the use,
  - f) That the permit terms and conditions would remain the same or be more stringent in nature such that the approved temporary uses are not expanded.

**OPTION 2**

That a referral to the Advisory Planning Commission be considered:

1. *That the proposal for a temporary cannabis retail store at 6765 Veyaness Road be referred to the Advisory Planning Commission (APC) for comment.*

Following comments received from the APC, the following recommendations may be considered:

1. That Temporary Use Permit #3100-20-6/23 (6765 Veyaness Road) be approved for issuance for a period of three (3) years.
2. That in accordance with s. 493.1 of the Local Government Act, Council delegate renewal of Temporary Use Permit #3100-20-22/23 (6765 Veyaness Road) to the Director of Planning and Building Services subject to the following:
  - a) That notification clearly states the temporary use may be considered for a period up to six (6) years,
  - b) That there are no ongoing bylaw enforcement issues or history of complaints related to the use,
  - c) That the permit terms and conditions would remain the same or be more stringent in nature such that the approved temporary uses are not expanded.

**OPTION 3**

Defer the application for more information.

**OPTION 4**

Decline to move the application forward and close the file.

*The applicant would be able to continue to operate the business in its current location under current permits until August 31, 2024.*

**CONCLUSION:**

The applicant wishes to apply for a new Temporary Use Permit (TUP) to allow a cannabis retail use (Bud’s Cannabis) located at 6765 Veyaness Road. Bud’s Cannabis has had a previously issued TUP for six years and there have been no concerns regarding complaints, bylaw enforcements, or other issues. The TUP is supported by the Official Community Plan and Cannabis Retail Policies and Guidelines.

Report written by:	Kerri Clark, Manager of Development Services
Respectfully submitted by:	Jarret Matanowitsch, Director of Planning and Building
Concurrence by:	Christine Culham, Chief Administrative Officer

**ATTACHMENTS:**

- Appendix A: Site Context Map
- Appendix B: Table 1 – Cannabis Retail Policies and Guidelines
- Appendix C: Draft TUP
- Appendix D: Application Form