

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-10/20
Location: 739 Woolwich Street
Hearing Date: March 12, 2020
Owner: 2448254 Ontario Inc.
Agent: Drew Gillingham, 536357 Ontario Ltd.
Official Plan Designation: Service Commercial/Mixed-Use Corridor
Zoning: Specialized Service Commercial (SC.1-6) Zone

Request: The applicant is seeking relief from the By-Law requirements to permit retail sale of cannabis and related supplies as an additional permitted use on the subject property.

By-Law Requirements: The By-Law requires a variety of uses in the SC.1-6 Zone, but does not permit retail sale of cannabis and related supplies.

Staff Recommendation

Approval with Condition

Recommended Conditions

Planning Services

1. That the variance be approved to permit a Retail use on the property.
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Comments

Planning Services

At the time the application was submitted, the subject property was designated "Service Commercial" in the City's Official Plan. The Service Commercial land use designation permits some retail uses. By way of Official Plan Amendment 69, which was approved by Council on January 30, 2020, the subject lands are now designated as "Mixed-Use Corridor". The "Mixed-Use Corridor" land use designation is intended to serve both the needs of residents living and working on-site, in nearby neighbourhoods and employment districts and the wider city as a whole and permits a range of uses including commercial, retail and service uses. In Planning staff's opinion, the requested variance to permit the retail sale of cannabis and

related supplies meets the general intent and purpose of the Official Plan, including OPA 69.

The subject property is zoned "Specialized Service Commercial" (SC.1-6) according to Zoning By-law (1995)-14864, as amended and permits several uses that have a retail character including an artisan studio, bake shop, florist, hardware store, liquor store, personal service establishment, office supply and restaurant and take-out restaurant. Planning staff are currently undertaking the Comprehensive Zoning By-law Review (CZBR) project which includes ensuring the uses in the Zoning By-law align with the Official Plan. The direction of the CZBR discussion paper is to permit retail establishments in areas designated Mixed-use Corridor.

The proposed retail use within the existing building on the property is to permit the sale of cannabis and related supplies. The retail sale of cannabis is permitted within zones that permit a Retail use in the Zoning By-law. Council opted in to permit cannabis retail storefronts as of December 2018. Municipalities do not have the authority to pass bylaws pertaining to the business licensing or specialized zoning of cannabis retail stores. The government has regulated the Alcohol Gaming Commission of Ontario (AGCO) to approve retail storefront business licenses similar to the issuance of liquor licences. Upon the City's receipt of an application for a storefront licence, residents and municipalities have 15 days to provide written comments to the AGCO. While the AGCO is not bound to the comments received, they consider these comments before making a final decision to issue a licence.

City By-law staff have been designated by Council to voice Council's concerns to the AGCO if a proposed location is within 150 metres of a sensitive location/concern zone that includes hospitals, mental health facilities, addiction centres, youth and social services, recreational centres, registered daycare centres, youth facilities, University lands, Shelldale, Libraries and the Community Health Centre. At this time, By-law staff have advised the applicant that the property meets the requirements to allow a cannabis store subject to the retail use being permitted, but that may change if any sensitive land uses in the area are established prior to licencing. Planning staff note that there is an active site plan application to facilitate the construction of a new office building located at 735-737 Woolwich Street.

The requested variance to permit a retail use on the property maintains the general intent and purpose of the Official Plan and Zoning By-law, is considered desirable for the appropriate development of the land and is considered to be minor in nature.

Planning staff recommend approval of the application subject to the above noted condition.

Engineering Services

Engineering has no concerns with request of seeking relief from the By-Law requirements to permit retail sale of cannabis and related supplies as an additional permitted use on the subject property.

We agree with recommendations made by Planning and Building staff.

Building Services

The applicant is proposing to permit retail sale of cannabis and related supplies as an additional permitted use on the property. A variance from Section 6.4.3.1.6.1 of Zoning By-law (1995)-14864, as amended, is being requested.

Building Services does not object to this application to permit retail sale of cannabis and related supplies as an additional permitted use on the subject property.

A demolition permit will be required prior to the demolition of the existing accessory structure (greenhouse).

A building permit will be required prior to any construction, at which time requirements under the Ontario Building Code will be reviewed. There may be issues with the granting of a license to operate cannabis retail due to the future occupancy of the abutting property being an agency for mental health.

Comments from the Public

Yes (see attached)

Contact Information

Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

guelph.ca/cofa

Facsimile: 519-763-1269

March 4, 2020

Attention: Trista Di Lullo, ACST
Secretary-Treasurer
Committee of Adjustment, City of Guelph
City Hall, 1 Carden Street
Guelph ON N1H 3A1

Subject: Application Number A-10/20, 739 Woolwich Street

Committee of Adjustment, City of Guelph

I understand that the Committee of Adjustment is considering a request to locate a cannabis shop close to the site that will house the Canadian Mental Health Association.

I urge you to not allow this to happen. Requiring people seeking treatment for addiction and mental health issues to go to an office close to a store selling cannabis would place many of them at risk each time they come for help.

As a community we need to go all out to help people succeed in their efforts to recover, and to do our utmost to avoid creating situations that might set them up for failure.

Regards,



Roy Cameron
Executive Director, Homewood Research Institute



Dear City of Guelph Council and Staff,

I am writing on behalf of the Guelph YMCA-YWCA with the full support of our board of directors rejecting the application to permit the sale of cannabis at 739 Woolwich Street.

Our organisation implores decision makers to not only look at the current use of businesses on Woolwich Street but the future uses as well. Proximal to the applicant's property will be the new CMHA facility. This facility will provide mental health supports for children and youth, including addiction supports.

In the fall of 2019, I had the pleasure of touring a centre that will provide many of the same supports that CMHA will be delivering on this future site. The facility was in Kelowna, BC, and is known as the Foundry. It is a facility that is located a little bit outside of the downtown core of Kelowna and this was intentional. The Foundry had over 2,300 unique visitors' access supports and programs in 2019. When I asked about the location of the Foundry and why they choose a site outside of the downtown, core staff shared that the youth who were dealing with substance abuse issues were vocal about choosing a location that was accessible, but not close to the core where they purchased their drugs.

Given the audience that CMHA will be providing services for, I ask our municipal decision makers to treat CMHAs future home in the same way that they would treat a school when considering a permit for the sale of cannabis and deny the application.

Thank you,

A handwritten signature in black ink, appearing to read 'Geoff Vogt', is written over a faint, light blue circular background.

Geoff Vogt, CEO

Cyndy Forsyth, Board Chair
Matt McNally, Director
Rob Cliff, Director
Jessica Barrie, Director
Anita Acai, Director

Harold Whiteside, Vice Chair
Jonathan Knowles, Director
Rosemary Fernandes Walker, Director
Heather MacDougal, Director

March 4th, 2020

Mayor Cam Guthrie
mayor@guelph.ca

Trista Di Lullo, ACST | Secretary-Treasurer
Committee of Adjustment of the City of Guelph
City Hall, 1 Carden Street
Guelph ON N1H 3A1
trista.dilullo@guelph.ca

Subject: Application Number A-10/20, 739 Woolwich Street

To: The Committee of Adjustment of the City of Guelph

Dear Cam & Trista:

Together with Rose Soligo, I am co-chairing a Campaign to create Youth Wellness Hubs in our region. Needless to say, when one in five youth experience mental health and | or substance use disorders we have a real crisis. I am astonished that 75% of all mental health conditions have their onset by early adulthood. We need to do something and I am writing to ask you both for help!!

I understand that the city is considering a request to permit a retail store selling cannabis to open at 739 Woolwich Street, close to what will be the new site of the Canadian Mental Health Association Waterloo Wellington (CMHA WW).

CMHA WW provides services to those seeking mental health and addiction support, and it's my understanding that their planned new location on Woolwich Street will focus on support for children and youth. Should this permit be granted, we will be putting those children and youth at risk each time they seek help at this location.

Regardless, of personal preferences, perspectives on cannabis, I would strongly encourage you to reject this application. As a community we must support our residents, including youth, by ensuring that help is available to them where and when they need it, and not allowing obstacles, such as a cannabis store, to get in the way of their wellness and recovery.

Any help and guidance you can provide would be much appreciated!!

Best regards,



Jim Jarrell
President & COO
Linamar Corporation

Cc: Rose Soligo
Kaili Hilkewich

Roy Cameron
CyndyForsyth

Rose Zen-Soligo, Registered Psychotherapist (R.P.)

197 Hanlon Creek Blvd, Unit 103 - Guelph, Ontario - N1C 0A1

Phone (519) 835-8966

rose@rosezen.ca

March 4, 2020

Attention: Trista Di Lullo, ACST, Secretary-Treasurer
Committee of Adjustment of the City of Guelph

City Hall, 1 Carden Street
Guelph, Ontario N1H 3A1

trista.dilullo@guelph.ca

citcofa@guelph.ca

Mayor Cam Guthrie

mayor@guelph.ca

Subject: Application Number A-10/20, 739 Woolwich Street

To: The Committee of Adjustment of the City of Guelph

Dear Mayor Guthrie and Ms. Di Lullo,

Together with Jim Jarrell, I am co-chairing a Campaign to create Youth Wellness Hubs in our region. We are working diligently to create services for youth that address mental health issues including, but not limited to, addiction and substance use disorders.

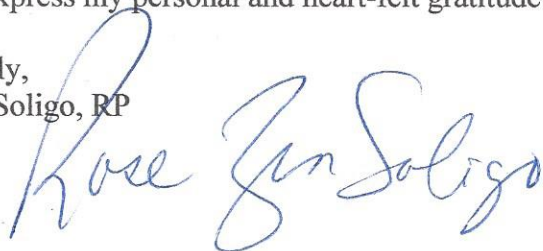
I understand that you are considering a request to permit a retail store selling cannabis to open at 739 Woolwich Street, close to what will be the new site of the Canadian Mental Health Association Waterloo Wellington (CMHA WW).

CMHA WW provides services to those seeking mental health and addiction support, and it is my understanding that their planned new location on Woolwich Street will focus on supports for children and youth. Should this permit be granted, we will be putting those children and youth at risk each time they seek help at this location.

I would strongly encourage you to reject this application. As a community, we must support our residents, including youth, by ensuring that help is available to them where and when they need it, and not allowing obstacles, such as a cannabis store, to get in the way of their wellness and recovery.

I wish to express my personal and heart-felt gratitude for your assistance in this matter.

Respectfully,
Rose Zen-Soligo, RP

A handwritten signature in blue ink that reads "Rose Zen-Soligo". The signature is fluid and cursive, with the first name "Rose" being more prominent and the last name "Zen-Soligo" written in a continuous script.