



City of Kelowna Public Hearing Minutes

Date: Tuesday, September 18, 2018
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn*, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben*, Mohini Singh and Luke Stack*

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Acting Divisional Director, Community Planning & Strategic Investments, Derek Edstrom; Community Planning Department Manager, Ryan Smith; Suburban and Rural Planning Manager, Dean Strachan; Community Planning Supervisor, Laura Bentley; Planner, Kim Brunet*; Business License Manager, Greg Wise*; Legislative Coordinator (Confidential), Clint McKenzie

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the Hearing to order at 6:02 p.m.

Mayor Basran advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna 2030 - Official Community Plan Bylaw No. 10500" and Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

2. Notification of Meeting

The City Clerk advised that Notice of this *Public Hearing* was advertised by being posted on the Notice Board at City Hall on Tuesday, September 4, 2018 and by being placed in the Kelowna Daily Courier issues on Friday September 7 and Wednesday, September 12 and by sending out or otherwise mailing 230 statutory notices to the owners and occupiers of surrounding properties on Tuesday, September 4, 2018.

The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

Councillor Stack joined the meeting at 6:05 p.m.

3. Individual Bylaw Submissions

3.1 Text Amendment for Cannabis Production and Retail Cannabis Sales TA18-0008 (BL11659, BL11678 & BL11679) - City of Kelowna

Councillor Donn joined the meeting at 6:06 p.m.

Councillor Sieben joined the meeting at 6:11 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

The City Clerk advised that the following correspondence was received:

Letters of Opposition and Concern:

Allen Tozer, Ellis Street

Carmen Sparg, President, Kelowna Chambers of Commerce, Harvey Avenue

Greg Christie and Brandon Croyden, Walnut Street

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Gallery:

Steve Hymen, Stockwell Avenue

- Raised concern with the 500 m setback as it creates too great of an exclusion area.
- Recommended that the setback be amended to 300 m.

Brandon Croydon, Walnut Street

- Provided comments on production regulations.
- Raised concerns with restrictions and limits on farm production and sales.
- Raised concerns with restrictions imposed on cannabis production on agricultural lands within the ALR.

Peter Ingle, on behalf of 1619 Padosy Street

- Displayed a PowerPoint Presentation.
- Recommended the removal of the restrictive corridor on Leon and Lawrence Avenue.
- Questioned the rationale for the exclusion zone.
- Wineries operate within the exclusion zone and so should cannabis retail outlets.
- Willing to invest significant funds in the area and a high end retail operation will help revitalize the area.

Yarden Gershony, DKA President

- Our top priority is to revitalize Leon and Lawrence Avenue.
- More retail encourages other businesses to open and operate.
- Opposed to the exclusion zone on Leon and Lawrence Avenue.
- Raised concerns with the 500 m exclusion regulations and suggested that 300 m is a more suitable distance.
- Encouraged Council to use their site specific zoning authorities.
- Responded to questions from Council.

THC BioMed, Central Avenue

- Federally licensed producer with a secured future retail sales location on St. Paul Street and a current production facility on Ackland Avenue.
- Raised concerns with the amount of time to consider the proposed changes to the zoning bylaw amendments and recommended a deferral or third reading to allow more time to present concerns.
- Raised concerns with several of the Bylaw regulations.

- Believes this is a complex issue that requires time for company to review and respond to the bylaws.
- Responded to questions from Council.

Dave Martin, Compass Cannabis Clinics

- Canada-wide cannabis organization with 30 locations.
- Raised concerns with the severity of regulations compared with other Canadian municipalities of similar size.
- Questioned the stated rationale for the downtown exclusion zone and is opposed to it.
- Believes retail cannabis is a driver of neighbourhood revitalization.
- The Provincial regulatory process is very thorough and will act as a vetting measure so the City does not need to duplicate them.
- Cannabis retail will be a driver of jobs and significant investment in the community and should be encouraged.

Trent Kitsch, Doja Culture Café, Bernard Avenue

- Does not support the notion that cannabis is more problematic than alcohol.
- Believes cannabis retail is a good driver of economic development.
- Opposed to current restrictions as proposed in the bylaws.
- Opposed to proposed exclusion zones on Leon and Lawrence Avenue.
- Confirmed current location is too close to Stuart Park.
- Responded to questions from Council.

Staff:

- Responded to questions from Council.

There were no further comments.

3.2 Enterprise Way 2092, TA18-0004 (BL11668) - 0838232 BC Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence was received:

Letters of Support:

Ken Cappos, Casorso Rd

The Applicant was present and available for questions.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

No one from the Gallery came forward.

There were no further comments.

3.3 Cary Rd 1639, Z18-0053 (BL11673) - 1124478BC Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that no correspondence was received.

The Applicant was present and available for questions.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

No one from the Gallery came forward.

There were no further comments.

3.4 Harvey Ave 1717, LUC18-0005 (BL11675) - Al Stober Construction Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

The City Clerk advised that the following correspondence was received:

Letters of Opposition and Concern:

Ken Cappos, Casorso Rd

The Applicant was present and available for questions.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

No one from the Gallery came forward.

There were no further comments.

3.5 Cawston Ave 540, Z18-0087 (BL11677) - Cawston 540 Holdings Inc.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence was received:

Letters of Opposition and Concern:

Heather Hollingworth, St. Paul Street

Kevin Edgecombe, Applicant

- Spoke to the reasons behind the rezoning application.
- Have located a tenant who loves the location and does not require additional parking and is prepared to sign a 5-year lease if the rezoning is supported.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

No one from the Gallery came forward.

There were no further comments.

4. Termination

The Hearing was declared terminated at 7:33 p.m.

Mayor Basran

City Clerk

/cm/acm