

City of Kelowna

Public Hearing

AGENDA



Tuesday, April 9, 2019
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

(b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reason-able opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing. This Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after March 27, 2019 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

(d) Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.

(e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.

2. Notification of Meeting

The City Clerk will provide information as to how the Hearing was publicized.

3. Individual Bylaw Submissions

- | | | |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 3.1 | Hall Rd, Fairhall Rd and Packers Rd, BL11761 (LUCT18-0011) - Various Owners | 5 - 9 |
| | To consider an application for the early Land Use Contract termination of LUC76-1080 and revert the subject properties identified in 'Schedule A' to their underlying zones. | |
| 3.2 | Bernard Ave 547-559, BL11775 (Z19-0005) - Salco Management Ltd, Inc. No. BC0744182 | 10 - 13 |
| | To rezone the subject property to facilitate the development of a retail cannabis sales establishment. | |
| 3.3 | Glenmore Rd 401, BL11778 (Z19-0006) - 653332 BC Ltd, Inc. No. 653332 | 14 - 17 |
| | To rezone the subject property to facilitate the development of a retail cannabis sales establishment. | |
| 3.4 | Rutland Rd S 140-160, BL11779 (Z19-0026) - Canada West Realty Ltd, Inc. No. 71313 | 18 - 21 |
| | To rezone the subject property to facilitate the development of a retail cannabis sales establishment. | |
| 3.5 | Springfield Rd 2121, BL11780 (Z19-0029) - 417414 BC Limited, Inc No 417414 | 22 - 26 |
| | To rezone the subject property to facilitate the development of a retail cannabis sales establishment. | |
| 3.6 | Gordon Dr 3818, BL11782 (TA19-0008) & BL11783 (Z19-0013) - Save on Shoes Ltd Inc No 397854 | 27 - 35 |
| | To rezone the subject property to facilitate the development of a retail cannabis sales establishment and to amend the Zoning Bylaw by correcting the wording of the C2 – Neighbourhood Commercial subzones in Section 14.2, and creating a C1orls/rcs subzone combination in both Section 01 and Section 14.10. | |
| 3.7 | Kyndree Ct 1222, BL11787 (Z19-0042) - Hans and Krystyna Schubel | 36 - 39 |
| | To consider a development application to rezone from the A1 – Agriculture 1 zone to the RR3 – Rural Residential 3 zone to facilitate a future 2 lot subdivision. | |
| 3.8 | Via Centrale 3200, BL11789 (OCP18-0020) & BL11791 (Z18-0113) - 0971205 B.C. Ltd. | 40 - 51 |
| | To amend the Official Community Plan designation from REC – Private Recreation to the MRL – Multiple Unit Residential (Low Density) and to rezone the subject property to facilitate the development of a townhouse. | |
| 3.9 | McCarthy Rd 9670, BL11790 (Z18-0122) - The Flowr Group (Okanagan) Inc., Inc. No. BC0974062 | 52 - 61 |

To rezone the subject property from the I3 – Heavy Industrial zone to the I2 – General Industrial zone to facilitate the construction of a new industrial building.

3.10 Harvey Ave 1455-1475, BL11792 (Z19-0010) - 449048 British Columbia Ltd, 1145399 62 - 65

To rezone the subject property to facilitate the development of a retail cannabis sales establishment.

3.11 Harvey Ave 2090, BL11793 (Z19-0008) - T 252 Enterprises Ltd Inc No BC1184462 66 - 69

To rezone the subject property to facilitate the development of a retail cannabis sales establishment.

4. Termination

5. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Community Planning);
- (b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (d) The Chair will call for representation from the public in attendance as follows:
 - (i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.
 - (ii) The Chair will recognize ONLY speakers at the podium.
 - (iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.
- (e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.
- (f) Questions by staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.
- (g) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches,

slideshows, etc.) to assist in their presentation or questions. The computer and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.

REPORT TO COUNCIL



Date: March 18, 2019

RIM No. 1250-40

To: City Manager

From: Community Planning Department (JR)

Application: LUCT 18-0011

Owner: Multiple Owners

Address: Multiple Addresses

Applicant: The City of Kelowna

Subject: Land Use Contract Termination (LUC 76-1080)

Existing OCP Designation: S2RES – Single / Two Unit Residential
PARK – Major Park / Open Space (public)

Existing Zone: RR3 – Rural Residential 3
P3 – Parks and Open Space

1.0 Recommendation

WHEREAS the BC Provincial Government has mandated that all Land Use Contracts under the jurisdiction of a local government and in the Province of British Columbia be terminated by 2024;

AND WHEREAS the BC Provincial Government has provided a legislated process for the early termination of land use contracts when the local government has adopted a zoning bylaw that will apply to the land at the time the termination bylaw comes into force;

THEREFORE, BE IT RESOLVED THAT as the underlying RR3 – Rural Residential 3 and P3 – Parks and Open Space zones in the City of Kelowna Zoning Bylaw No. 8000 applies to all the subject properties under LUC76-1080 as identified in 'Schedule A';

THAT Application No. LUCT18-0011 to terminate LUC76-1080 from properties identified in 'Schedule A', located on Hall Road, Fairhall Road, and Packers Road, Kelowna, B.C. be considered by Council;

AND FURTHER THAT the Land Use Contract Termination Bylaw be forwarded to a Public Hearing for further consideration.

2.0 Purpose

To consider an application for the early Land Use Contract termination of LUC76-1080 and revert the subject properties identified in 'Schedule A' to their underlying zones.

3.0 Community Planning

Staff are bringing forth and are recommending this Land Use Contract (LUC76-1080) be terminated for the subject properties. The current LUC affects 30 property, on Hall Road, Fairhall Road and Packers Road. The

Land Use Contract currently restricts the use of Lot 22, Section 16, Township 26, Plan KAP27463 to parks and open space. The LUC restricts the use of the remaining 29 properties to single family residential.

The underlying zoning (RR3 – Rural Residential 3 & P3 – Parks and Open Space) fits with the established neighbourhood and is an appropriate zone for the existing land use. The P3 zoned property is for the City's neighbourhood park, known as Fairhall Park.



Properties to revert to RR3



Property to revert to P3

The Land Use Contract uses and regulations fit within the RR3 and P3 zones however, the new zone does permit more uses (e.g. secondary suite).

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not initially apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act before the LUC is removed and the underlying zone comes into effect.

4.2 Notification

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality will send additional letters after the bylaw(s) are adopted for further information. The Land Title Office will notify

owners after the one-year grace period is complete to inform the property owners of which land use regulations apply to their property(ies).

Staff are not providing notification signage on the subject properties as per the Council approved Land Use Contract Termination Strategy. Notification signage was not recommended as: Land Use Contract Terminations are a City initiative, could involve hundreds of properties, and the elimination is mandated by the Local Government Act. Staff have mailed notification to all properties affected by the LUC under consideration for termination.

4.3 Site Context

The subject 30 properties have a total area of 46,500 m² and are located in South East Kelowna. The properties are designated S2RES – Single / Two Unit Residential and PARK – Major Park/Open Space (public) in the Official Community Plan and the surrounding area is single family residential and agriculture.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing RR3 – Rural Residential 3	Single Family Residential
East	A1 – Agriculture	Agriculture - Farming
South	A1 – Agriculture	Agriculture – Farming
West	RR3 – Rural Residential 3	Single Family Residential

Subject Properties Map: Hall Road, Fairhall Road, and Packers Road



5.0 Current Development Policies

5.1 Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

Council Policy No. 282.² Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contacts subject to consultation with affected owners of the land and subject to prior approval by council with regard to affected contracts

6.0 Technical Comments

N/A

7.0 Application Chronology

N/A

Report prepared by: Jenna Ratzlaff, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Reviewed by
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule 'A' – Land Use Contract Termination LUC76-1080

Schedule A: LUC76-1080					
No.	Legal Description	Address	Parcel Identifier Number	Land Use Contract	Underlying Zone
1	Lot 12 Section 16 Township 26 ODYD Plan 27463	3361 Hall Rd	004-832-396	LUC76-1080	RR3 - Rural Residential 3 zone
2	Lot 13 Section 16 Township 26 ODYD Plan 27463	3367 Hall Rd	004-832-400	LUC76-1080	RR3 - Rural Residential 3 zone
3	Lot 14 Section 16 Township 26 ODYD Plan 27463	3379 Hall Rd	004-832-418	LUC76-1080	RR3 - Rural Residential 3 zone
4	Lot A Section 16 Township 26 ODYD Plan 40069	3397 Hall Rd	011-821-507	LUC76-1080	RR3 - Rural Residential 3 zone
5	Lot B Section 16 Township 26 ODYD Plan 40069	3399 Hall Rd	011-821-515	LUC76-1080	RR3 - Rural Residential 3 zone
6	Lot 15 Section 16 Township 26 ODYD Plan 27463	2406 Fairhall Rd	004-832-426	LUC76-1080	RR3 - Rural Residential 3 zone
7	Lot 16 Section 16 Township 26 ODYD Plan 27463	2418 Fairhall Rd	004-832-442	LUC76-1080	RR3 - Rural Residential 3 zone
8	Lot 17 Section 16 Township 26 ODYD Plan 27463	2430 Fairhall Rd	004-832-451	LUC76-1080	RR3 - Rural Residential 3 zone
9	Lot A Section 16 Township 26 ODYD Plan 33880	2435 Fairhall Rd	003-063-739	LUC76-1080	RR3 - Rural Residential 3 zone
10	Lot 18 Section 16 Township 26 ODYD Plan 27463	2442 Fairhall Rd	004-832-469	LUC76-1080	RR3 - Rural Residential 3 zone
11	Lot B Section 16 Township 26 ODYD Plan 33880	2447 Fairhall Rd	003-063-755	LUC76-1080	RR3 - Rural Residential 3 zone
12	Lot 19 Section 16 Township 26 ODYD Plan 27463	2454 Fairhall Rd	002-693-691	LUC76-1080	RR3 - Rural Residential 3 zone
13	Lot A Section 16 Township 26 ODYD Plan 43942	2455 Fairhall Rd	016-589-092	LUC76-1080	RR3 - Rural Residential 3 zone
14	Lot B Section 16 Township 26 ODYD Plan 43942	2463 Fairhall Rd	016-589-131	LUC76-1080	RR3 - Rural Residential 3 zone
15	Lot 20 Section 16 Township 26 ODYD Plan 27463	2466 Fairhall Rd	004-832-477	LUC76-1080	RR3 - Rural Residential 3 zone
16	Lot 21 Section 16 Township 26 ODYD Plan 27463	2478 Fairhall Rd	004-832-485	LUC76-1080	RR3 - Rural Residential 3 zone
17	Lot A Section 16 Township 26 ODYD Plan 36417	2481 Fairhall Rd	003-445-941	LUC76-1080	RR3 - Rural Residential 3 zone
18	Lot B Section 16 Township 26 ODYD Plan 36417	2485 Fairhall Rd	003-445 976	LUC76-1080	RR3 - Rural Residential 3 zone
19	Lot 5 Section 16 Township 26 ODYD Plan 27463	2489 Fairhall Rd	004-832-311	LUC76-1080	RR3 - Rural Residential 3 zone
20	Lot 6 Section 16 Township 26 ODYD Plan 27463	2490 Fairhall Rd	004-832-329	LUC76-1080	RR3 - Rural Residential 3 zone
21	Lot 4 Section 16 Township 26 ODYD Plan 27463	2497 Fairhall Rd	004-832-302	LUC76-1080	RR3 - Rural Residential 3 zone
22	Lot 11 Section 16 Township 26 ODYD Plan 27463	2421 Packers Rd	004-832-388	LUC76-1080	RR3 - Rural Residential 3 zone
23	Lot 10 Section 16 Township 26 ODYD Plan 27463	2437 Packers Rd	002-267-217	LUC76-1080	RR3 - Rural Residential 3 zone
24	Lot 9 Section 16 Township 26 ODYD Plan 27463	2453 Packers Rd	004-832-361	LUC76-1080	RR3 - Rural Residential 3 zone
25	Lot 8 Section 16 Township 26 ODYD Plan 27463	2469 Packers Rd	004-832-353	LUC76-1080	RR3 - Rural Residential 3 zone
26	Lot 7 Section 16 Township 26 ODYD Plan 27463	2485 Packers Rd	004-832-337	LUC76-1080	RR3 - Rural Residential 3 zone
27	Lot 3 Section 16 Township 26 ODYD Plan 27463	2513 Packers Rd	004-832-299	LUC76-1080	RR3 - Rural Residential 3 zone
28	Lot 2 Section 16 Township 26 ODYD Plan 27463	2521 Packers Rd	004-832-256	LUC76-1080	RR3 - Rural Residential 3 zone
29	Lot 1 Section 16 Township 26 ODYD Plan 27463	2527 Packers Rd	004-832-221	LUC76-1080	RR3 - Rural Residential 3 zone
30	Lot 22 Section 16 Township 26 ODYD Plan 27463	2448 Fairhall Rd	004-832-493	LUC76-1080	P3 – Parks and Open Space

REPORT TO COUNCIL



Date: March 25, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application:	Z19-0005	Owner:	Salco Management Ltd., Inc.No. BCo744182
Address:	547-559 Bernard Avenue	Applicant:	Flora (Bernard) Enterprises Inc.
Subject:	Rezoning Application		

Existing OCP Designation: MXR – Mixed Use (Residential / Commercial)

Existing Zone: C7 – Central Business Commercial

Proposed Zone: C7rcs - Central Business Commercial (Retail Cannabis Sales)

1.0 Recommendation

THAT Rezoning Application No. Z19-0005 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 139 Osoyoos Division Yale District Plan 5470, located at 547-559 Bernard Avenue, Kelowna, BC from the C7 – Central Business Commercial zone to the C7 – Central Business Commercial (Retail Cannabis Sales) zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

2.0 Purpose

To rezone the subject property to facilitate the development of a retail cannabis sales establishment.

3.0 Community Planning

Community Planning Staff recommend support for the rezoning application to allow for a retail cannabis sales establishment on the subject property. This application was received prior to the close of the first intake of retail cannabis sales establishment applications on November 30, 2018. As such, it was evaluated in accordance with a Council-endorsed process and was selected, through a lottery process, to move forward with the City's standard rezoning process, established in the Development Application Procedures Bylaw. This application received a score of 81.43, and the overall average overall score of all applications evaluated was 69.53.

Should Council support the proposed Rezoning Bylaw, the property would be rezoned to a retail cannabis sales subzone, and Staff would send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch indicating support for issuance of a non-medical cannabis retail store licence for this property.

The application meets the Zoning Bylaw No. 8000 and there are no variances being requested. Further, the applicant has confirmed the completion of public notification in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Background

The unit proposed to be used for the retail cannabis sales establishment is currently an existing food primary establishment. A tenant improvement building permit would be required for the conversion of use for this unit.

4.2 Site Context

The subject property is located on the south side of Bernard Avenue, between Ellis Street and Bertram Street. It is within the Downtown Urban Centre. Sensitive uses that were identified within a 150 metre radius include a Liquor Primary Establishment and a Social Services Office.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C7 – Central Business Commercial	Commercial & Future Residential
East	C7 – Central Business Commercial	Commercial
South	C7 – Central Business Commercial	Commercial
West	C7 – Central Business Commercial	Commercial

Subject Property Map: 547-559 Bernard Avenue



5.0 Technical Comments

5.1 Development Engineering Department

This application does not compromise any City of Kelowna municipal infrastructure.

6.0 Application Chronology

Date of Committee Evaluation of Application: January 16, 2019

Date of Application Accepted: February 8, 2019

Date Public Notification Completed: February 27, 2019

Report prepared by:

Kimberly Brunet, Planner

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for Inclusion:

Ryan Smith, Community Planning Department Manager

Attachments:

Attachment "A" - Site Plan

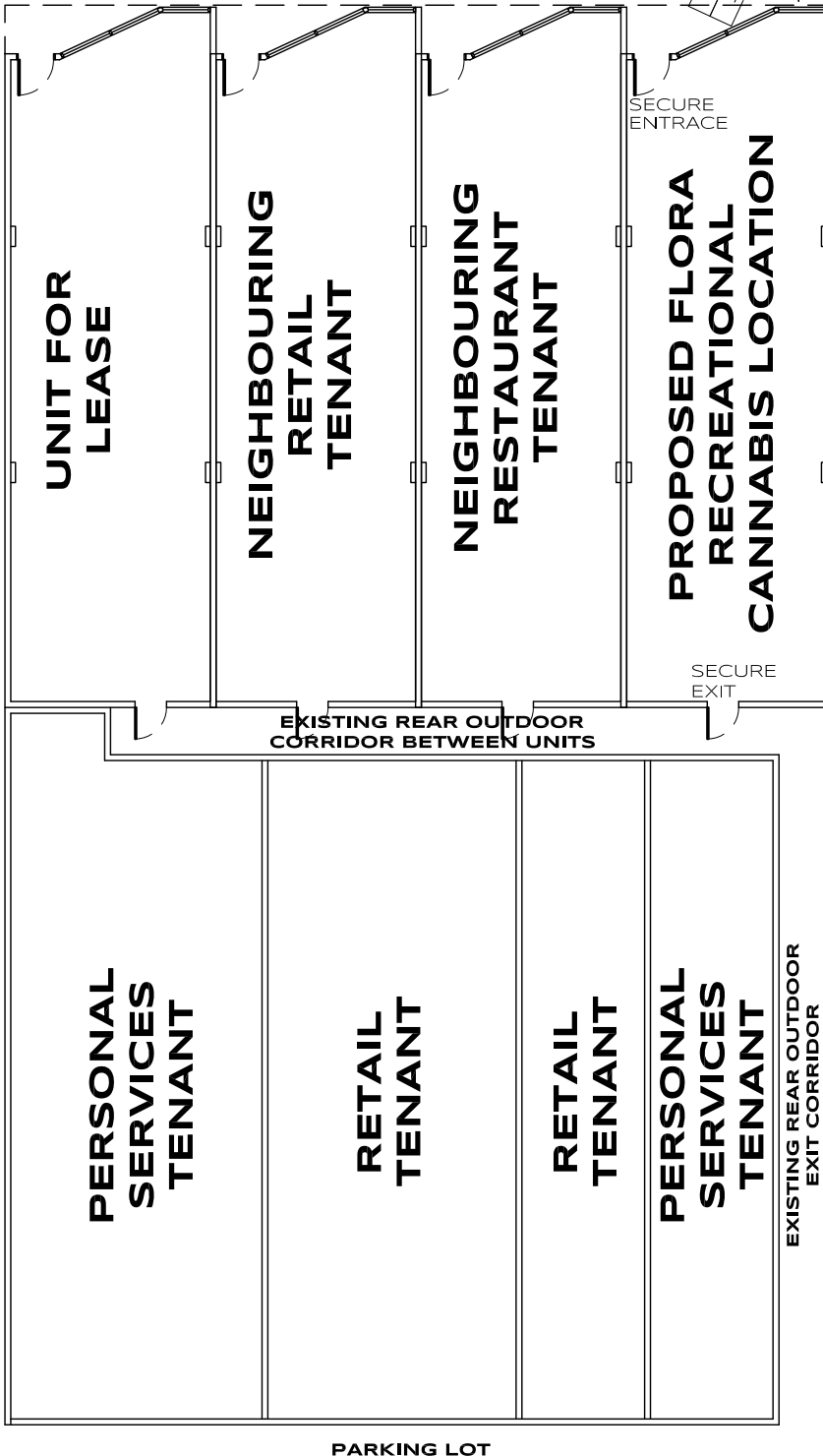
Z19-0005



City of Kelowna
COMMUNITY PLANNING

Planner
Initials

KB

$$1/16" = 1'-0"$$


NTS

GLA = 717 SQ. M.
GFA = 674 SQ. M.
NFA = 717 SQ. M.

**NOTE: NEIGHBOURING
TENANT UNIT SIZES, EXIT
AND ENTRANCE LOCATIONS,
REAR CORRIDOR WIDTHS
APPROXIMATE. OVERALL
BUILDING DIMENSIONS
EXTEND TO PROPERTY LINE.**



13 30

REPORT TO COUNCIL



Date: March 25, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z19-0006

Owner: 653332 B.C. Ltd., Inc.No.
653332

Address: 401 Glenmore Road

Applicant: Flora (Bernard) Enterprises Inc.

Subject: Rezoning Application

Existing OCP Designation: COMM - Commercial

Existing Zone: C3 – Community Commercial

Proposed Zone: C3rcs – Community Commercial (Retail Cannabis Sales)

1.0 Recommendation

THAT Rezoning Application No. Z19-0006 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 1 Section 32 Township 26 Osoyoos Division Yale District Strata Plan KAS3545 Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form V, located at 401 Glenmore Road, Kelowna, BC from the C3 – Community Commercial zone to the C3rcs – Community Commercial (Retail Cannabis Sales) zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

2.0 Purpose

To rezone the subject property to facilitate the development of a retail cannabis sales establishment.

3.0 Community Planning

Community Planning Staff recommend support for the rezoning application to allow for a retail cannabis sales establishment on the subject property. This application was received prior to the close of the first intake of retail cannabis sales establishment applications on November 30, 2018. As such, it was evaluated in accordance with a Council-endorsed process and was selected, based on its score, to move forward with the City's standard rezoning process, established in the Development Application Procedures Bylaw. This application received a score of 82.86, and the average overall score of all applications evaluated was 69.53.

Should Council support the proposed Rezoning Bylaw, the property would be rezoned to a retail cannabis sales subzone, and Staff would send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch indicating support for issuance of a non-medical cannabis retail store licence for this property.

The application meets the Zoning Bylaw No. 8000 and there are no variances being requested. The subject property is a strata lot, and the Community Planning Department has received written confirmation that the strata has approved the application for a retail cannabis sales establishment on this property. Further, the applicant has confirmed the completion of public notification in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Background

A retail cannabis sales establishment is proposed to be located within an existing ground-floor commercial space, in the northeast corner of the building.

4.2 Site Context

The subject property is located at the southeast corner of the Glenmore Road and Kane Road intersection. Sensitive uses that were identified within a 150 metre radius include a Liquor Primary Establishment (at 435 Glenmore Road) and a Retail Liquor Sales Establishment (located at 1936-1940 Kane Road).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C3 – Community Commercial C3LR – Community Commercial (Retail Liquor Sales)	Commercial
East	P3 – Parks and Open Space RM5 – Medium Density Multiple Housing	Public Park Residential
South	C3LR – Community Commercial (Liquor Primary)	Commercial
West	RU1 – Large Lot Housing RU2 – Medium Lot Housing	Residential

Subject Property Map: 401 Glenmore Road



5.0 Technical Comments

5.1 Development Engineering Department

The application to rezone the subject property to C3rcs to allow for a retail cannabis sales establishment does not compromise any City of Kelowna municipal infrastructure.

6.0 Application Chronology

Date of Committee Evaluation of Application: January 10, 2019

Date of Application Accepted: February 4, 2019

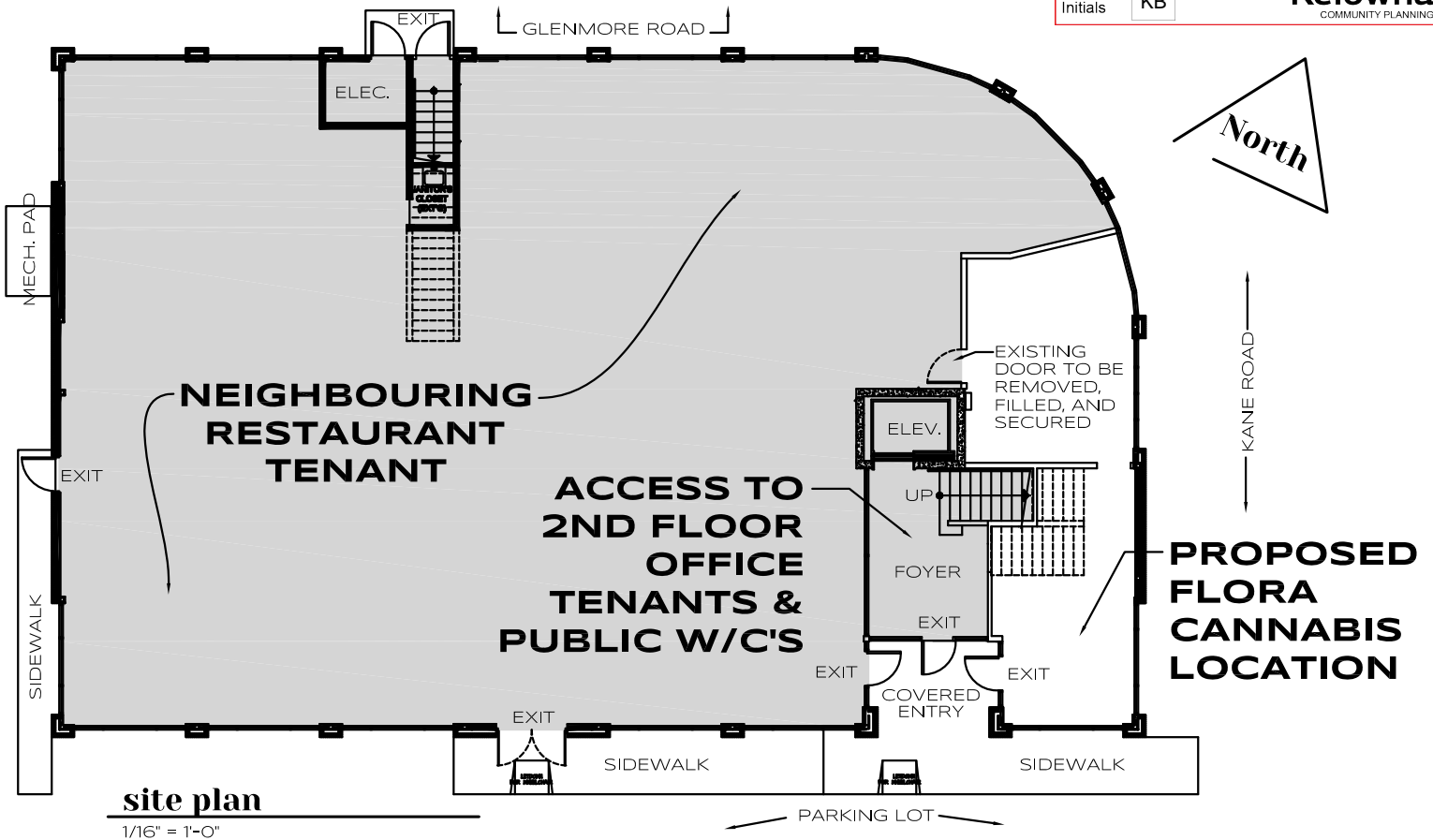
Date Public Notification Completed: February 27, 2019

Report prepared by:	Kimberly Brunet, Planner
Reviewed by:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Attachment "A" – Site Plan

Site Plans



GLA = 984 SQ. M.
 GFA = 1040 SQ. M.



Leigh Blackburn

REGISTERED INTERIOR
 DESIGNER

LBLACKBURNCREATIVE@GMAIL.COM
 250 575 8833

**Flora Recreational
 Cannabis**

101-401 GLENMORE RD.
 KELOWNA, BC
 K3545, LOT CP
 PID: 027-670-058

/ DATE: NOV. 16, 2018
 / SCALE: AS NOTED
 / DRAWN BY: LB

ISSUED FOR:

1 RE-ZONING NOV. 2018
 2
 3
 4

SITE PLAN

1 of 1

REPORT TO COUNCIL



Date: March 25, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z19-0026

Owner: Canada West Realty Ltd.,
Inc.No. 71313

Address: 140-160 Rutland Road South

Applicant: Christy & Associates

Subject: Rezoning Application

Existing OCP Designation: MXR – Mixed Use (Residential / Commercial)

Existing Zone: C4 – Urban Centre Commercial

Proposed Zone: C4rcs – Urban Centre Commercial (Retail Cannabis Sales)

1.0 Recommendation

THAT Rezoning Application No. Z19-0026 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 23 Township 26 Osoyoos Division Yale District Plan 18642, located at 140-160 Rutland Road South, Kelowna, BC from the C4 – Urban Centre Commercial zone to the C4rcs – Urban Centre Commercial (Retail Cannabis Sales) zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

2.0 Purpose

To rezone the subject property to facilitate the development of a retail cannabis sales establishment.

3.0 Community Planning

Community Planning Staff recommend support for the rezoning application to allow for a retail cannabis sales establishment on the subject property. This application was received prior to the close of the first intake of retail cannabis sales establishment applications on November 30, 2018. As such, it was evaluated in accordance with a Council-endorsed process and was selected, through a lottery process, to move forward with the City's standard rezoning process, established in the Development Application Procedures Bylaw. This application received a score of 73.57, and the overall average overall score of all applications evaluated was 69.53.

Should Council support the proposed Rezoning Bylaw, the property would be rezoned to a retail cannabis sales subzone, and Staff would send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch indicating support for issuance of a non-medical cannabis retail store licence for this property.

The application meets the Zoning Bylaw No. 8000 and there are no variances being requested. Further, the applicant has confirmed the completion of public notification in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Background

The unit proposed to be used for the retail cannabis sales establishment is an existing commercial unit, in the northernmost tenant space fronting on Rutland Road South. There is a cannabis themed accessories and clothing store located two tenant spaces down from the proposed retail cannabis sales establishment.

4.2 Site Context

The subject property is located on Rutland Road South, in close proximity to the intersection with Highway 33. It is located within the Rutland Urban Centre. Sensitive Uses that were identified within a 150 metre radius include a Public Library, Retail Liquor Sales Establishment and Social Services Offices.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 – Urban Centre Commercial	Commercial
East	C4 – Urban Centre Commercial C4LP – Urban Centre Commercial	Commercial
South	C4 – Urban Centre Commercial P1 – Major Institutional	Commercial Government Services
West	C4 – Urban Centre Commercial	Commercial

Subject Property Map: 140-160 Rutland Road South



5.0 Technical Comments

5.1 Development Engineering Department

This application does not compromise any City of Kelowna municipal infrastructure.

These Development Engineering comments/requirements are subject to the review and requirements from the Ministry of Transportation (MOTI) Infrastructure Branch.

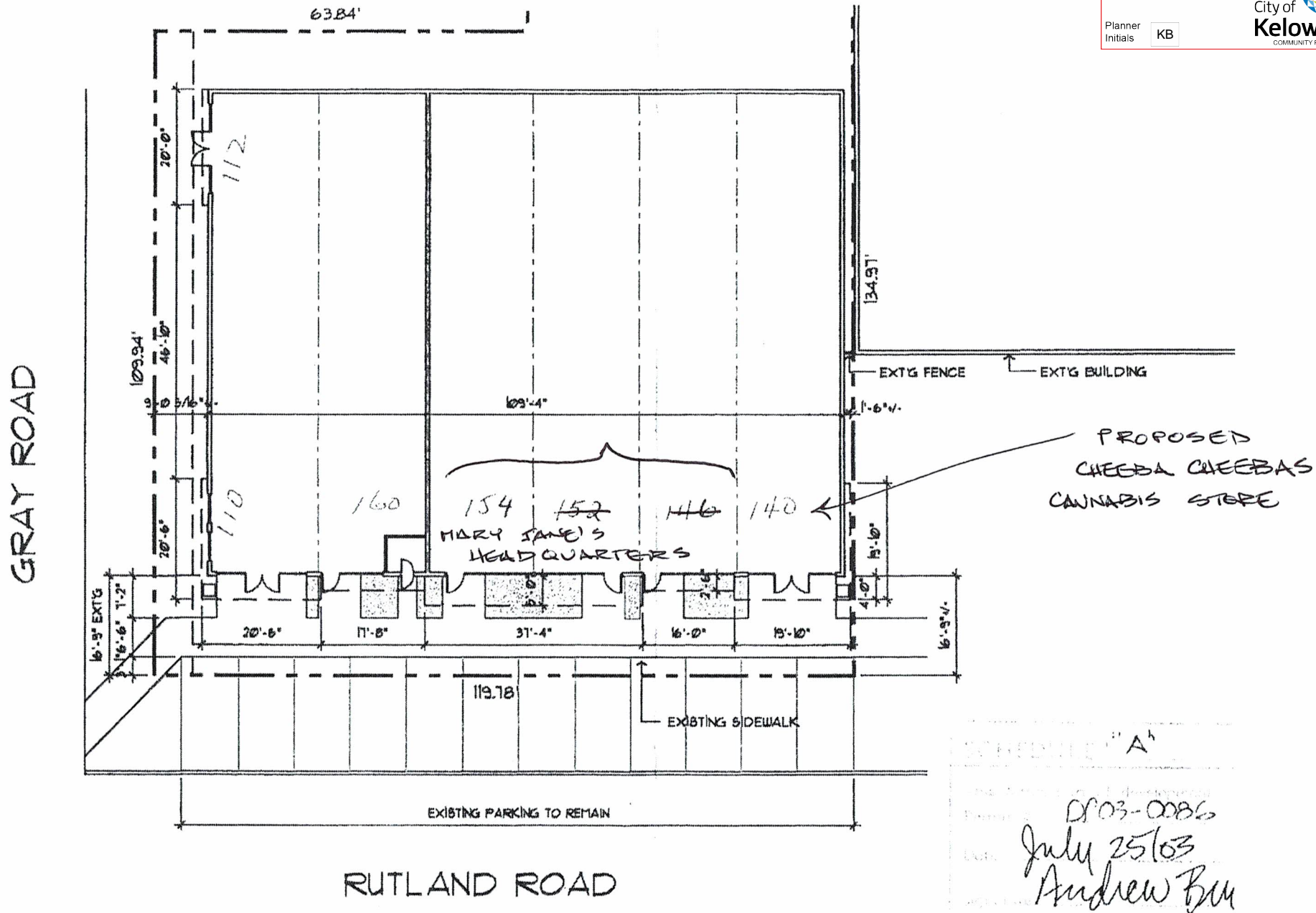
6.0 Application Chronology

Date of Committee Evaluation of Application: January 16, 2019
Date of Application Accepted: February 8, 2019
Date Public Notification Completed: February 26, 2019

Report prepared by: Kimberly Brunet, Planner
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment "A" - Site Plan



REPORT TO COUNCIL



Date: March 25, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z19-0029

Owner: 417414 B.C. Limited, Inc.No.
417414

Address: 2121 Springfield Road

Applicant: Lightbox Enterprises Ltd.

Subject: Rezoning Application

Existing OCP Designation: MXR – Mixed Use (Residential / Commercial)

Existing Zone: C4 – Urban Centre Commercial

Proposed Zone: C4rcs – Urban Centre Commercial (Retail Cannabis Sales)

1.0 Recommendation

THAT Rezoning Application No. Z19-0029 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 District Lot 128 Osoyoos Division Yale District Plan 18971 Except Plan 20452 and 42606, located at 2121 Springfield Road, Kelowna, BC from the C4 – Urban Centre Commercial zone to the C4rcs – Urban Centre Commercial (Retail Cannabis Sales) zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

2.0 Purpose

To rezone the subject property to facilitate the development of a retail cannabis sales establishment.

3.0 Community Planning

Community Planning Staff recommend support for the rezoning application to allow for a retail cannabis sales establishment on the subject property. This application was received prior to the close of the first intake of retail cannabis sales establishment applications on November 30, 2018. As such, it was evaluated in accordance with a Council-endorsed process and was selected, based on its score, to move forward with the City's standard rezoning process, established in the Development Application Procedures Bylaw. The application received a score of 90.00, which was the highest scoring application considered by the committee. For comparison, the average overall score of all applications evaluated was 69.53.

Should Council support the proposed Rezoning Bylaw, the property would be rezoned to a retail cannabis sales subzone, and Staff would send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch indicating support for issuance of a non-medical cannabis retail store license for this property.

The application meets the Zoning Bylaw No. 8000 and there are no variances being requested. Further, the applicant has confirmed the completion of public notification in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Background

The unit proposed to be used for the retail cannabis sales establishment was previously another retail store, and is currently vacant.

4.2 Site Context

The subject property is located at the southeast corner of the Springfield Road and Cooper Road intersection. It is in close proximity to Orchard Park Shopping Centre and Orchard Plaza. Sensitive uses that were identified within a 150 metre radius include a Child Care Centre, Major (located within a Religious Assembly at 2091 Springfield Road) and a Retail Liquor Sales Establishment (located within a Retail Store at 1840-1920 Cooper Road).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 – Urban Centre Commercial C6 – Regional Commercial	Commercial
East	C4 - Urban Centre Commercial	Commercial
South	RM5 – Medium Density Multiple Housing	Residential
West	P2 – Education and Minor Institutional A1 – Agriculture 1	Religious Assembly / Child Care Centre, Major Agriculture

Subject Property Map: 2121 Springfield Road



5.0 Technical Comments

5.1 Development Engineering Department

This application to rezone to C4RCS to allow for a retail cannabis sales establishment on the subject property, does not compromise any City of Kelowna municipal infrastructure.

These Development Engineering comments/requirements and are subject to the review and requirements from the Ministry of Transportation (MOTI) Infrastructure Branch.

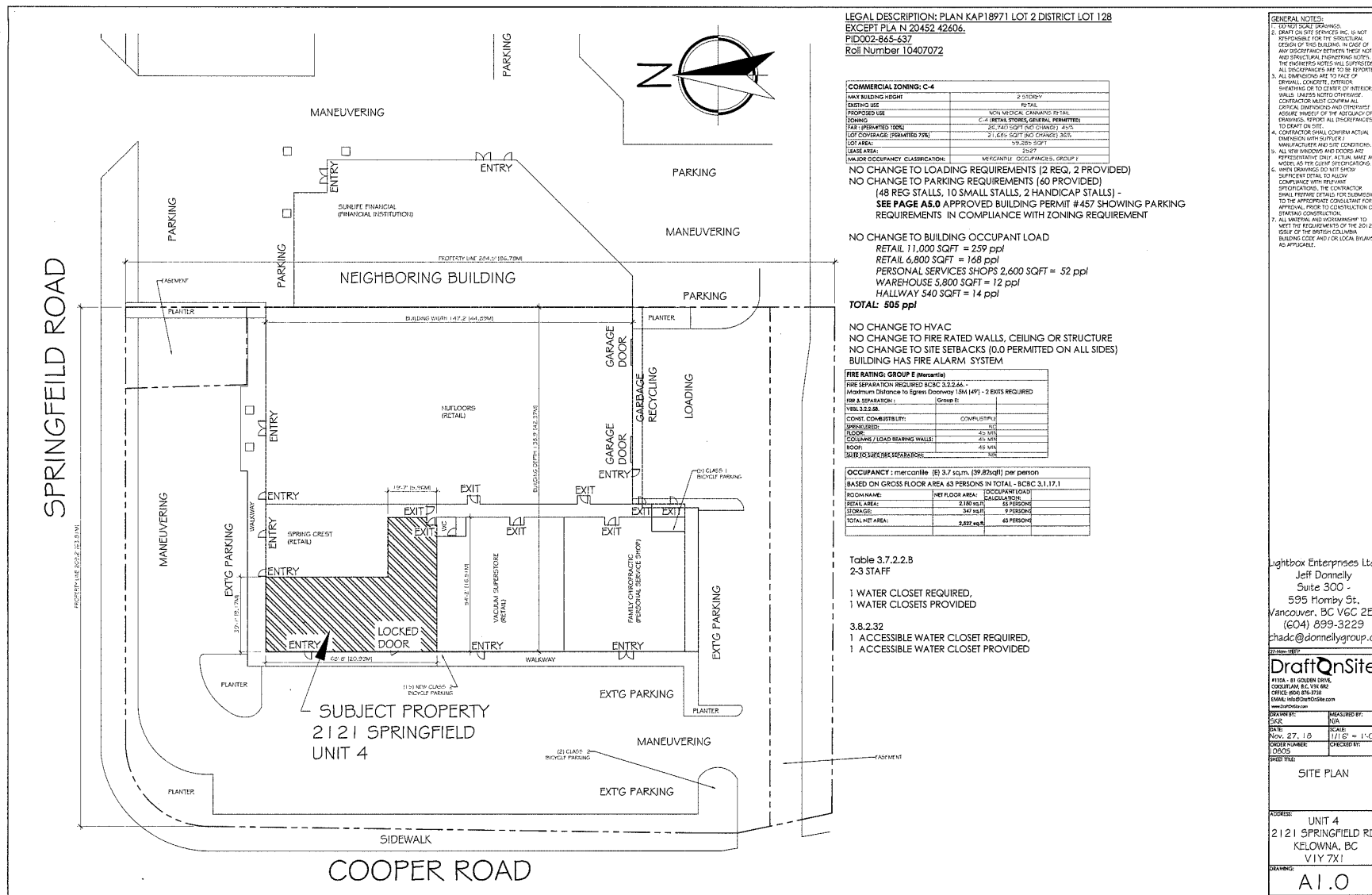
6.0 Application Chronology

Date of Committee Evaluation of Application: January 11, 2019
Date of Application Accepted: February 4, 2019
Date Public Notification Completed: February 22, 2019

Report prepared by: Kimberly Brunet, Planner
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment "A" – Site Plan
Attachment "B" – Applicant's Letter of Rationale



GENERAL NOTES:

1. LATEST DATE DRAWINGS.
2. DRAFT ON SITE SERVICES INC. IS NOT RESPONSIBLE FOR THE STRUCTURAL DESIGN OF THIS BUILDING. IN CASE OF ANY DISCREPANCY BETWEEN THESE NOTES AND STRUCTURAL DRAWINGS, THE ENGINEER'S NOTES WILL SUPERSEDE. ALL DISCREPANCIES ARE TO BE REPORTED TO THE ENGINEER.
3. ALL DIMENSIONS ARE TO FACE OF WALLS, UNLESS NOTED OTHERWISE. CONTRACTOR MUST CORRECT ALL CRITICAL DIMENSIONS AND OTHERWISE ASSURE INTEGRITY OF THE ACCURACY OF DRAWINGS. REPORT ALL DISCREPANCIES TO DRAFT ON SITE.
4. CONTRACTOR SHALL CORRECT ALL DIMENSIONS WITH SUPPLIER'S MANUFACTURER AND SITE CONDITIONS. REPRESENTATIVE ONLY. ACTUAL MEASUREMENTS AS THE ENGINEER'S INTERFERENCES.
5. ALL NEW WINDOWS AND DOORS ARE TO BE REPRESENTATIVE ONLY. ACTUAL MEASUREMENTS AS THE ENGINEER'S INTERFERENCES.
6. WITH DRAWINGS DO NOT SHOW SUFFICIENT DETAIL TO HIGH COMPLIANCE WITH RELEVANT SPECIFICATIONS. THE CONTRACTOR SHALL PROVIDE DETAILS FOR SUBMISSION TO THE APPROPRIATE CONSULTANT FOR APPROVAL PRIOR TO CONSTRUCTION OR DURING CONSTRUCTION.
7. ALL MATERIAL AND WORKMANSHIP TO MEET THE REQUIREMENTS OF THE 2012 BUILDING CODE AND CANADIAN STANDARDS AS APPLICABLE.

Lightbox Enterprises Ltd.
 Jeff Donnelly
 Suite 300 -
 595 Homby St.
 Vancouver, BC V6C 2E8
 (604) 899-3229
 chad@donnellygroup.ca

DraftOnSite

1110A - 81 GOLDEN DRIVE,
 COQUITLAM, BC V3K 3A7
 OFFICE: 604-878-8718
 EMAIL: INFO@DRAFTONSITE.COM
 WWW.DRAFTONSITE.COM

DRAWN BY: JDA	MAKING BY: JDA
DATE: Nov. 27, 18	SCALE: 1/1" = 1'-0"
ORDER NUMBER: 11005	CHECKED BY:
SHEET TITLE: SITE PLAN	
ADDRESS: UNIT 4 2121 SPRINGFIELD RD KELOWNA, BC V1Y 7X1	
DRAWING: A1.0	

Donnelly Group EST. 1999

#300-595 Hornby St. Vancouver, BC, V6C 2E8
t: 604.899.3229 f: 604.899.3226

To: City of Kelowna
Attention: Planning Department
1435 Water Street
Kelowna, BC V1T 1J4

November 26th, 2018

RE: Development Proposal for Cannabis Retail at 2121 Springfield Road

To Whom It May Concern

Lightbox Enterprises Ltd. is requesting a rezoning to the retail cannabis sales subzone for the property located at **2121 Springfield Road**.


The site is currently zoned as C4 – Urban Center Commercial, allowing for retail cannabis sales as an approved use pending a successful rezoning to C4rcs – Urban Center Commercial Retail Cannabis Sales.

The surrounding area is heavily commercial, and we feel cannabis sales will fit in well with the intent of the Urban Commercial zone. The 2527 square foot space is able to accommodate a large customer base with minimal impact to the surrounding area.

Donnelly Group has over 20 years of history in dealing with the British Columbia Liquor Distribution Board (BCLDB) and Alcohol and Gaming Commission of Ontario (AGCO) acquiring and maintaining liquor licenses at the provincial and City levels. Donnelly Group's experience in complying with municipalities in the Lower Mainland and Greater Toronto Area will make for a smooth transition into operating under the Kelowna municipal guidelines for cannabis retail operations.

Thank you for your consideration.

Sincerely,


Jeff Donnelly
Lightbox Enterprises Ltd.

SAFE & SOUND • BARBER & CO • THE BLACKBIRD • CLOUGH CLUB • THE LAMPLIGHTER • TAVERN
LIBRARY SQUARE • THE RAILWAY STAGE & BEER CAFÉ • GRANVILLE ROOM • THE THREE BRITS • CINEMA
NEW OXFORD • WALRUS • BELFAST LOVE • DEATH & TAXES • PONG BAR • THE BUTCHER & BULLOCK

DONNELLY GROUP Vancouver | Toronto

donnellygroup.ca

REPORT TO COUNCIL



Date: March 25, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: TA19-0008 Z19-0013

Owner: Save on Shoes Ltd., Inc.No.
397854

Address: 3818 Gordon Drive

Applicant: Steven Jones

Subject: Rezoning Application

Existing OCP Designation: COMM - Commercial

Existing Zone: C2 – Neighbourhood Commercial

Proposed Zone: C2rcs – Neighbourhood Commercial (Retail Cannabis Sales)

1.0 Recommendation

AND THAT Zoning Bylaw Text Amendment Application No. TA19-0008 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated March 11, 2019 be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Zoning Bylaw Text Amendment Application No. TA19-0008 be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND THAT Rezoning Application No. Z19-0013 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B District Lot 134 Osoyoos Division Yale District Plan 40137, located at 3818 Gordon Drive, Kelowna, BC from the C2 – Neighbourhood Commercial zone to the C2rcs – Neighbourhood Commercial (Retail Cannabis Sales) zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;

- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

2.0 Purpose

To rezone the subject property to facilitate the development of a retail cannabis sales establishment and to amend the Zoning Bylaw by correcting the wording of the C2 – Neighbourhood Commercial subzones in Section 14.2, and creating a C1orls/rcs subzone combination in both Section 01 and Section 14.10.

3.0 Community Planning

Community Planning Staff recommend support for the rezoning application to allow for a retail cannabis sales establishment on the subject property. This application was received prior to the close of the first intake of retail cannabis sales establishment applications on November 30, 2018. As such, it was evaluated in accordance with a Council-endorsed process and was selected, based on its score, to move forward with the City's standard rezoning process, established in the Development Application Procedures Bylaw. This application received a score of 86.43, and the average overall score of all applications evaluated was 69.53. There were no other applications for rezoning to a retail cannabis sales establishment received that were located within a 500 metre radius of this property.

Should Council support the proposed Rezoning Bylaw, the property would be rezoned to a retail cannabis sales subzone, and Staff would send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch indicating support for issuance of a non-medical cannabis retail store licence for this property.

The application meets the Zoning Bylaw No. 8000 and there are no variances being requested as part of this application. Further, the applicant has confirmed the completion of public notification in accordance with Council Policy No. 367.

Staff are also asking for Council consideration of Zoning Bylaw Text Amendment Application TA19-0008. This proposed amendment includes a correction to the wording of the C2 – Neighbourhood Commercial subzones in Section 14 (C2rcs and C2rls/rcs only), as well as the addition of a C1orls/rcs subzone, which was omitted in error during the first text amendment application for retail cannabis sales. This requires additions to section 01 and Section 14.10, creating a C1orls/rcs subzone combination.

4.0 Proposal

4.1 Background

The unit proposed to be used for the retail cannabis sales establishment is currently an existing retail store. The applicant is proposing creating a separate, smaller (approximately 600 ft²) retail space within this existing retail store.

4.2 Site Context

The subject property is located on the west side of Gordon Drive, to the south of Cook Road. While it borders residential properties to the west and south, there were no sensitive uses (as identified in a Council-endorsed scoring matrix) identified within a 150 metre radius.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C2 – Neighbourhood Commercial	Commercial
East	A1 – Agriculture 1	Agriculture
South	RM3 – Low Density Multiple Housing	Residential
West	RM3 – Low Density Multiple Housing	Residential

Subject Property Map: 3818 Gordon Drive



5.0 Technical Comments

5.1 Development Engineering Department

The application to rezone the subject property to C2rcs to allow for a retail cannabis sales establishment, does not compromise any City of Kelowna Municipal Infrastructure.

6.0 Application Chronology

Date of Committee Evaluation of Application: January 9, 2019
 Date of Application Accepted: February 4, 2019
 Date Public Notification Completed: February 26, 2019

Report prepared by:	Kimberly Brunet, Planner
Reviewed by:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A" – Summary Table of Proposed Text Amendments to Zoning Bylaw No. 8000

Attachment "A" – Site Plan

Attachment "B" – Applicant's Letter of Rationale

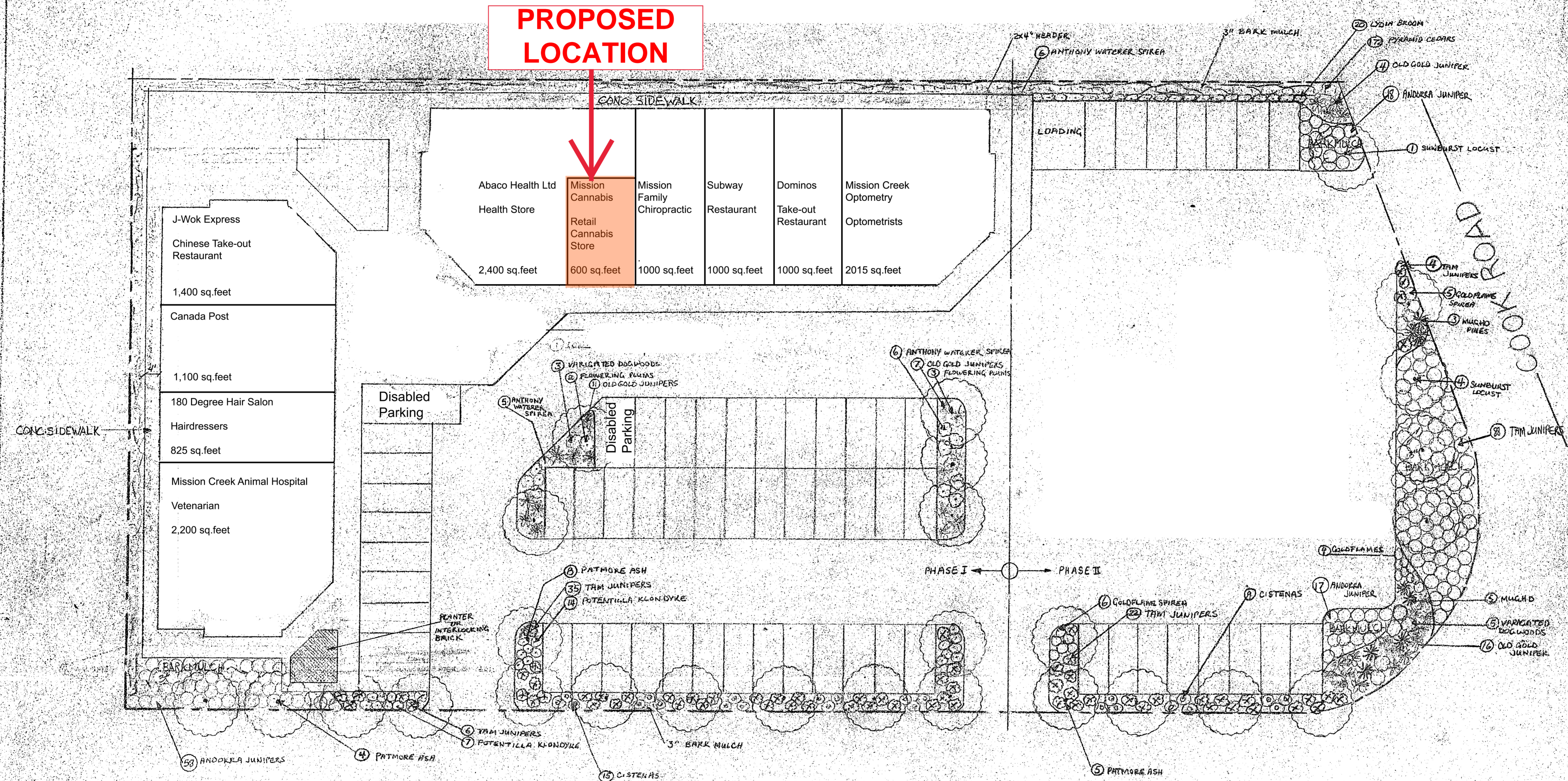
SCHEDULE "A" – Amendments to City of Kelowna Zoning Bylaw No. 8000

TA19-0008

Zoning Bylaw No. 8000						
No.	Section	Existing Text		Proposed Text		Rationale
1.	Section 01 – General Administration 1.3 – Zoning Map	Section 14 – Commercial Zones		Section 14 – Commercial Zones		Addition of a C1orls/rcs subzone combination
		C10 C10lp C10lp/rls C1orls C1orcs C10lp/rcs C10lp/rls/rcs	Service Commercial Service Commercial (Liquor Primary) Service Commercial (Liquor Primary/Retail Liquor Sales) Service Commercial (Retail Liquor Sales) Service Commercial (Retail Cannabis Sales) Service Commercial (Liquor Primary/Retail Cannabis Sales) Service Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)	C10 C10lp C10lp/rls C1orls C1orcs C1orls/rcs C10lp/rcs C10lp/rls/rcs	Service Commercial Service Commercial (Liquor Primary) Service Commercial (Liquor Primary/Retail Liquor Sales) Service Commercial (Retail Liquor Sales) Service Commercial (Retail Cannabis Sales) Service Commercial (Retail Liquor Sales/Retail Cannabis Sales) Service Commercial (Liquor Primary/Retail Cannabis Sales) Service Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)	
2.	Section 14 – Commercial Zones	C2 – Neighbourhood Commercial/ C2rls – Neighbourhood Commercial (Retail Liquor Sales) C2rcs – Community Commercial (Retail Cannabis Sales)		C2 – Neighbourhood Commercial/ C2rls – Neighbourhood Commercial (Retail Liquor Sales) C2rcs – Neighbourhood Commercial (Retail Cannabis Sales)		Correction to the wording of the C2 – Neighbourhood Commercial Zone in Section 14.

	14.2 – C2 – Neighbourhood Commercial	C2rls/rcs – Community Commercial (Retail Liquor Sales/Retail Cannabis Sales)	C2rls/rcs – Neighbourhood Commercial (Retail Liquor Sales/Retail Cannabis Sales)	
3.	Section 14 – Commercial Zones 14.10 – C10 – Service Commercial	C10 – Service Commercial C10lp – Service Commercial (Liquor Primary) C10lp/rls – Service Commercial (Liquor Primary/Retail Liquor Sales) C10rls – Service Commercial (Retail Liquor Sales) C10rcs – Service Commercial (Retail Cannabis Sales) C10lp/rcs – Service Commercial (Liquor Primary/Retail Cannabis Sales) C10lp/rls/rcs – Service Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)	C10 – Service Commercial C10lp – Service Commercial (Liquor Primary) C10lp/rls – Service Commercial (Liquor Primary/Retail Liquor Sales) C10rls – Service Commercial (Retail Liquor Sales) C10rcs – Service Commercial (Retail Cannabis Sales) C10rls/rcs – Service Commercial (Retail Liquor Sales/Retail Cannabis Sales) C10lp/rcs – Service Commercial (Liquor Primary/Retail Cannabis Sales) C10lp/rls/rcs – Service Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales)	Addition of a C10rls/rcs subzone combination
4.	Section 14 – Commercial Zones 14.10.2 – Principal Uses	(ii) retail cannabis sales establishment (C10rcs, C10lp/rcs, and C10lp/rls/rcs only)	(ii) retail cannabis sales establishment (C10rcs, C10rls/rcs , C10lp/rcs, and C10lp/rls/rcs only)	Addition of C10rls/rcs to the Principal Uses Section of the C10 zone

Store Footages and Car Parking Calculation



PLANT LIST			
QU	COMMON NAME	BOTANICAL NAME	SIZE
17	PATMORE ASH	Fraxinus penn. 'Patmore'	1 1/2 Cal.
5	SUNBURST LOCUST	Gleditsia tri. inermis Sunburst	1 1/2 Cal.
5	FLOWERING PLUMS	Prunus cerasifera Nigra	1 Cal.
1	TOPWIGGED WEeping CRAB	Malus Cheal's Weeping Topworked	5' Standard
8	VARI-GATED DOGWOOD	Cornus alba 'Elegantissima'	2 Gal.
21	POTENTILLA KLONDYKE	Potentilla fruticosa 'Klondyke'	2 Gal.
24	CISTENAS	Prunus 'Cistena'	2 Gal.
11	ANTHONY WATERER SPIKEA	Spiraea x bumalda 'Anthony Waterer'	2 Gal.
20	GOLDPLANE SPIREA	Spiraea x bumalda GoldPlane	2 Gal.
20	LYDIA BROOM	Cytisus 'Lydia'	1 Gal.
5	MUGHOS PINES	Pinus Mughos Mughos	5 Gal.
155	TAM JUNIPERS	Juniperus sabina Tamariscifolia	2 Gal.
34	OLD GOLD JUNIPERS	Juniperus chinensis Old Gold	2 Gal.
172	PYRAMID CEDARS	Thuja occidentalis 'Pyramidalis'	3'
93	ANDREA JUNIPERS	Juniperus horizontalis 'Andrea'	2 Gal.

Car Park Space Calculation

Veterinarians	= 2,200
180 degree Hair Salon	= 825
Canada Post	= 1100
JWOK Restaurant	= 1400
Abaco Health	= 2400
Mission Cannabis	= 600
Mission Family Chiropractic	= 1000
Subway	= 1000
Dominos	= 1000
Mission Optometrist	= 2015
Total Store Sales Square Footage	= 13,540 sq.ft

GORDON DRIVE

13,540 square feet total sales/office space in the entire mall

13,540 square feet * 0.092903 converts into square meters = 1257.91 sq.m

City of Kelowna requires 3 parking stall per 100 sq.m of sales floor

1257.91 sq.m / 100 sq.m = 12.57 * 3 stall = minimum of 37.73 or parking stalls

Mission Station Mall has 46 stalls and exceeds the minimum requirement of 38

Prepared by
Steven Jones

PROJECT:
MISSION STATION

Create separate space for
Mission Cannabis taken from space
from Abaco Health

DRAWING:
LANDSCAPING:

DATE: 19-Nov-2018

1160

1-1

City of Kelowna - Project Rationale

Retail Cannabis Store in Kelowna Lower Mission area

We plan to open a government approved retail cannabis store at 3818 Gordon Drive in the lower Mission area of Kelowna, with the support of local and provincial government to meet the needs of local residents and tourists.

On October 17th the Federal Government legalised the sale of recreational cannabis and allowed licenced retail stores to sell cannabis, subject to having provincial and local government approval. The City of Kelowna is accepting applications for Retail Cannabis Stores in the Kelowna area and is restricting the zones allowed and placement of potential stores in Kelowna, in order to keep stores away from sensitive areas like schools, parks, social services etc to protect the youth from exposure to cannabis.

Legal cannabis sales could reach \$6.5 billion by 2020, according to an estimate from CIBC analysts. CIBC analysts predicted cannabis sales could top sales of spirits. 63 percent of current cannabis users in Canada plan to make purchases at legal retailers, according to a survey commissioned by Deloitte that polled 1,500 Canadians. By the survey's estimates, the legal cannabis market could generate \$4.3 billion in sales next year.

Abaco Health at 3818 Gordon Drive in the Lower Mission, leased extra space from their Landlord (Chris Cavacuiti) in 2016 specifically to hold this business space for a future retail cannabis store location. The owners of Abaco Health have obtained their landlord's written approval along with their neighbouring businesses verbal approval. This extra 600 sq.foot space will created by rebuilding a fire wall to separate Abaco Health from the new store space.

This proposed store location is in C2 zone, which allows for Cannabis retail stores for secondary use. This store location meets all the set back requirements for distance to primary and secondary schools, social services, day care centers, other liquor establishments and other retail cannabis stores.

This is a unique location in Kelowna and presents an opportunity to meet the needs of the City of Kelowna in terms of setbacks and zoning, meet the needs of Kelowna residents in providing a needed service, providing additional jobs and income for local people and additional revenues to the City of Kelowna through business licencing fees, tourism and potentially sales taxes too.

The location sits in a small strip mall on the busy Gordon drive. This mall is a "destination" mall and not the kind of mall people go to for browsing. This limits the number of children walking around the mall and makes this a unique location in limiting exposure to children.

The owners of Abaco Health, Steven and Shauna Jones have over 35 years experience in retail management. In the the last 13 years they created and developed Abaco Health, a natural health store, selling over 3,000 government approved natural products to Kelowna residents,

nationally and internationally through the online business www.abacohealth.com that Steven developed.

They are uniquely positioned in this optimum location, their experience setting up and managing retail stores and additionally through Steven's experience as a medical cannabis patient for many years.

Steven and Shauna have secured more than enough financing through family and friends to create this store and get it open for business in a timely manner without any need for financing from a bank.

REPORT TO COUNCIL



Date: March 18, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (AF)

Application: Z19-0042

Owner: Hans & Krystyna Schubel

Address: 1222 Kyndree Ct

Applicant: Urban Options Planning & Permits

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: A1 – Agriculture 1

Proposed Zone: RR3 – Rural Residential 3

1.0 Recommendation

That Rezoning Application No. Z19-0042 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 8, Township 23, ODYD, Plan 33589 located at 1222 Kyndree Ct, Kelowna, BC from the A1 – Agriculture 1 zone to the RR3 – Rural Residential 3 zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

2.0 Purpose

To consider a development application to rezone from the A1 – Agriculture 1 zone to the RR3 – Rural Residential 3 zone to facilitate a future 2 lot subdivision.

3.0 Community Planning

Community Planning supports the proposed rezoning from A1 – Agriculture 1 to RR3 – Rural Residential 3 as it is in line with the Official Community Plan (OCP) Future Land Use Designation of S2RES – Single / Two Unit Residential for the subject property. It is located within the Permanent Growth Boundary, and a majority of the properties surrounding the subject property have this same zone.

The intent of the rezoning application is to facilitate a future 2 lot subdivision. Should the rezoning application be supported, the applicant would proceed with a subdivision application which will include a Hazardous Condition Development Permit to control the location of the future home in regards to the sloped site conditions.

Staff have attended the site and can confirm that there is an adequate sized building envelope located to the north east of the existing dwelling on which to construct an additional home. In order to facilitate a two lot subdivision, the existing sanitary sewer situated along Kyndree Ct will need to be extended allowing both properties to connect. This is an important requirement since it eliminates the need for additional flat area on site to facilitate an additional septic system. There are no variances being tracked at this time.

4.0 Proposal

4.1 Background

The property contains an existing single family dwelling which is to be retained. Although the property is fairly large at approximately 8134 m² in lot area, much of the land is fairly sloped subsequently reducing the buildable area on site.

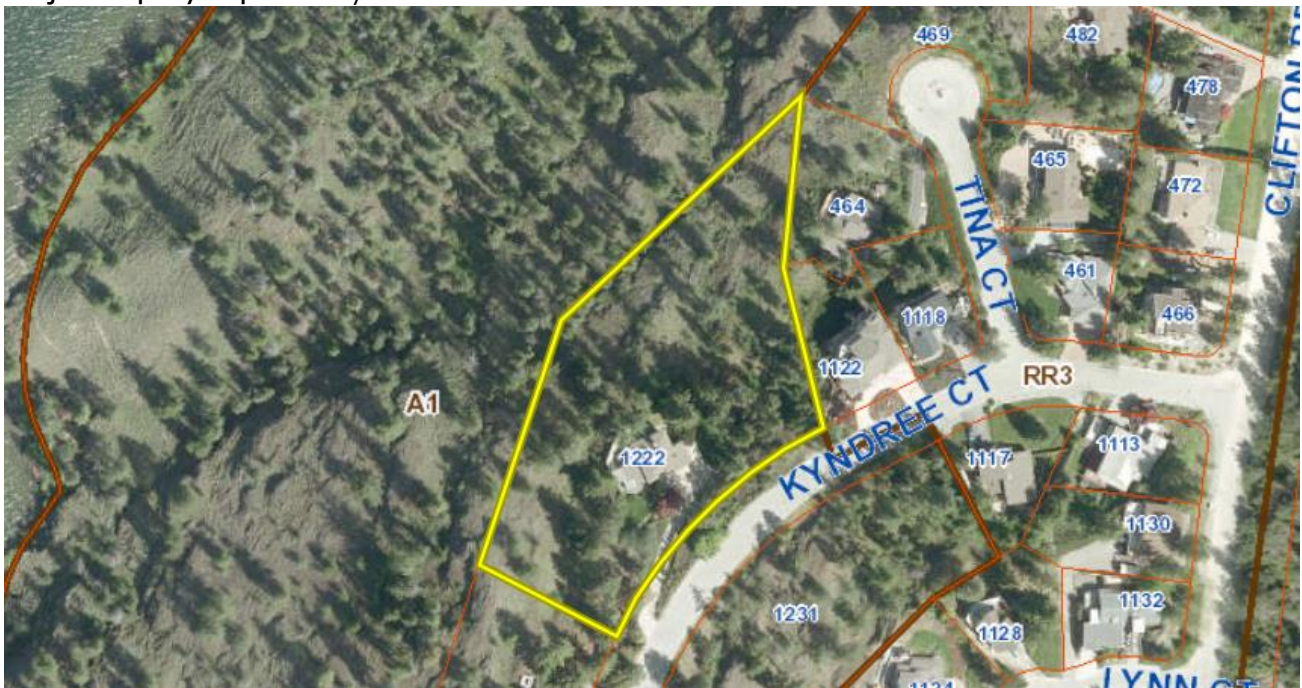
4.2 Project Description

The purpose of the rezoning application is to facilitate a 2 lot subdivision.

4.3 Site Context

The subject property is located in the Clifton – Dilworth City Sector near the intersection of Clifton Rd N and Kyndree Ct. The surrounding neighbourhood is comprised of A1 – Agriculture 1 and RR3 – Rural Residential 3 zoned properties. Other surrounding zones include P3 – Parks and Open Space and RU1h – Large Lot Housing (Hillside Area).

Subject Property Map: 1222 Kyndree Ct



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Sensitive Infill.¹ Encourage new development of redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

6.0 Technical Comments

6.1 Building & Permitting Department

- No comments applicable to rezoning

6.2 Development Engineering Department

- Development Engineering requirements with regards to this development will be deferred to subdivision application S19-0004

7.0 Application Chronology

Date of Application Received: December 19, 2018

Date Public Consultation Completed: February 12, 2019

Report prepared by: Andrew Ferguson, Planner

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Site Plan

¹ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

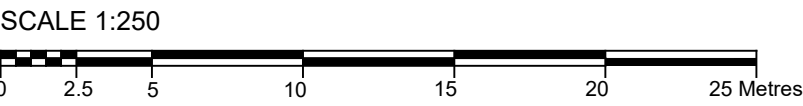
PROPOSED SUBDIVISION SKETCH
PLAN OF LOT A SECTION 8 TOWNSHIP
23 OSOYOOS DIVISION YALE
DISTRICT PLAN 33589

PID: 003-124-177
CLIENT: ADAM AND MEGHAN SCHUBEL
CIVIC ADDRESS: 1222 KNYDREE COURT

HORIZONTAL COORDINATE SYSTEM: UTM 11 NAD83(CSRS)
VERTICAL DATUM: CGVD28

DATE OF FIELD SURVEY: NOVEMBER 12, 2018

REFER TO THE CURRENT STATE OF TITLE FOR CHARGES,
LIENS, AND INTERESTS AFFECTING THIS LAND.



LEGEND

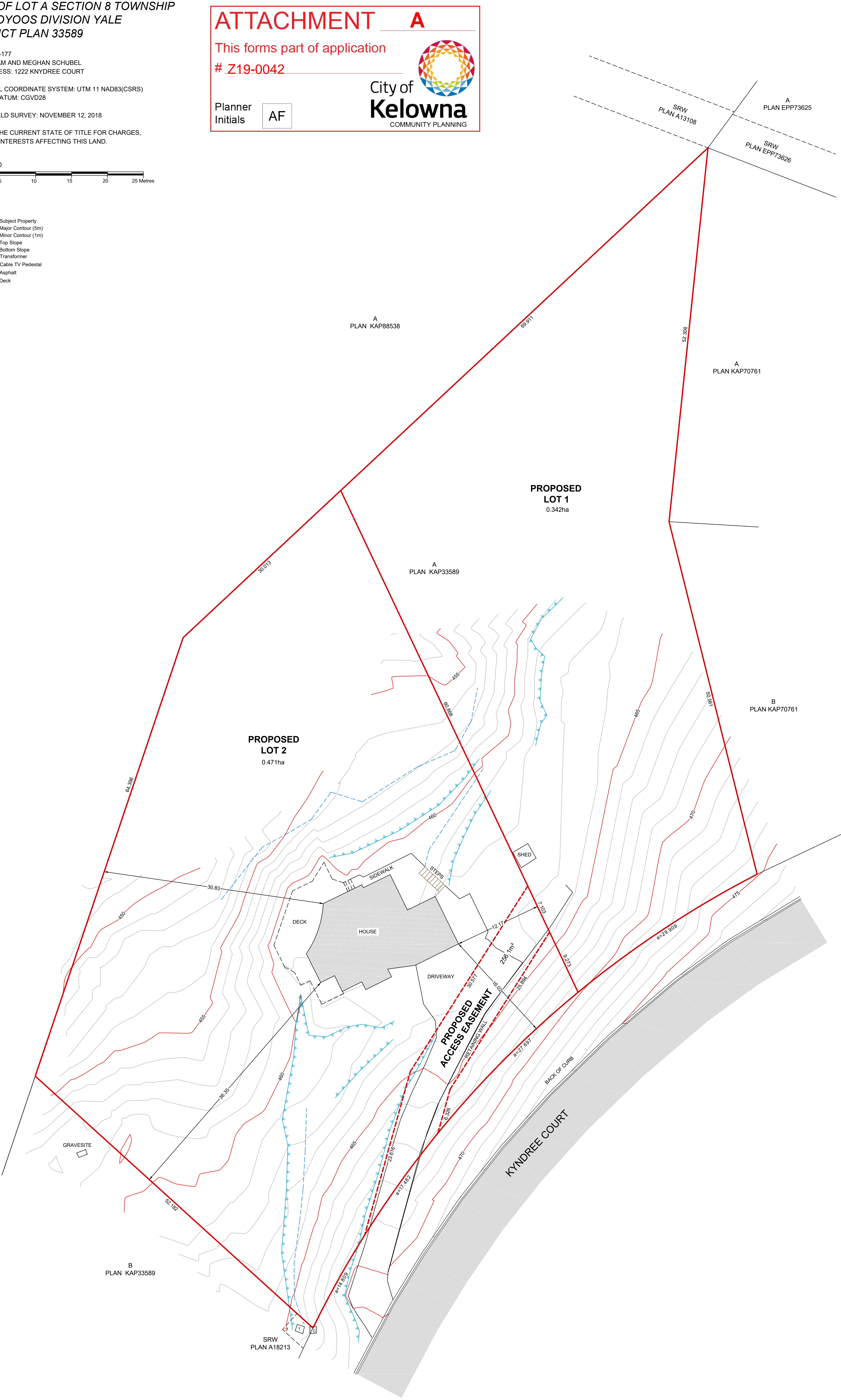
- Subject Property
- Major Contour (5m)
- Minor Contour (1m)
- Top Slope
- Bottom Slope
- Transformer
- Cable TV Pedestal
- Asphalt
- Deck

ATTACHMENT A

This forms part of application
Z19-0042

Planner
Initials AF

City of Kelowna
COMMUNITY PLANNING



THIS PLAN WAS PREPARED FOR DESIGN PURPOSES AND IS FOR THE EXCLUSIVE USE
OF OUR CLIENT. VECTOR GEOMATICS LAND SURVEYING LTD. ACCEPTS NO
RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD
PARTY AS A RESULT OR REPRODUCTION, TRANSMISSION, OR ALTERATION TO THIS
DOCUMENT WITHOUT THE CONSENT OF VECTOR GEOMATICS LAND SURVEYING LTD.

REPORT TO COUNCIL



Date: March 18th 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (WM)

Application: OCP18-0020/Z18-0113 **Owner:** 0971205 B.C LTD., Inc. No. BC0971205

Address: 3200 Via Centrale **Applicant:** David Sargent

Subject: Rezoning and Official Community Plan Amendment Application

Existing OCP Designation: REC - Private Recreation

Proposed OCP Designation: MRL - Multiple Unit Residential (Low Density)

Existing Zone: P3LP-Parks and Open Space (Liquor Primary)

Proposed Zone: RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP18-0020 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation for a portion of Lot A Sections 14, 15, 22 and 23 Township 23 ODYD Plan KAP56201 Except Plans KAP68068 and KAP80682 located at 3200 Via Centrale, Kelowna, BC from the REC – Private Recreation designation to the MRL – Multiple Unit Residential (Low Density) designation, as shown on Map “A” attached to the Report from the Community Planning Department dated March 18th 2019 be considered by Council;

THAT Rezoning Application No. Z18-0113 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classifications for a portion of Lot A Sections 14, 15, 22 and 23 Township 23 ODYD Plan KAP56201 Except Plans KAP68068 and KAP80682 located at 3200 Via Centrale, Kelowna, BC from P3LP – Parks and Open Space (Liquor Primary) to RM3 – Low Density Multiple Housing, as shown on Map “B” attached to the Report from the Community Planning Department dated March 18th, 2019 be considered by Council;

AND THAT the Official Community Plan Amendment and Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

2.0 Purpose

To amend the Official Community Plan designation from REC – Private Recreation to the MRL – Multiple Unit Residential (Low Density) rezone the subject property from P3LP – Parks and Open Space (Liquor Primary) to RM3 – Low Density Multiple Housing.

3.0 Community Planning

Community Planning Staff are recommending support for the proposed OCP and Rezoning amendments to facilitate a future town house development. The proposed amendments are consistent with the objectives and policies of the OCP. The project involves redevelopment of currently under-utilized urbanized land. The proposed use is compatible with the existing neighbourhood. The proposed townhouse development would result in an increase in residential density in an appropriate location of the City as the subject property is located within the permanent growth boundary and will be able to utilize existing infrastructure such as water and sewer.

4.0 Proposal

4.1 Background

The subject property is currently part of the Quail golf course. The proposal is to develop a 1.12 ha portion of the lot to create 23 townhouse units in row house and duplex configuration. The golf course would be reconfigured. 3200 Via Centrale and the adjacent properties were originally developed under the Quail Ridge Area Structure Plan. This property was previously zoned CD6 – Comprehensive Development zone which allowed for a wide range of uses including multi-family residential uses. Of the original Area Structure Plan density allocated to Quail Ridge, approximately 100 units remain (less the proposed development). Through a city directed initiative CD6 zone was replaced with standard zones for clarity and consistency. The existing residential areas are zoned a mix of RU1 – Large Lot Housing, RM3-Low Density Multiple Housing, RM5 – Medium Density Multiple Housing, RU5 –Bareland Strata Housing. The golf-course lot is zoned P3LP-Parks and Open Space (Liquor Primary). This property is located within the Urban Design Comprehensive Development Permit Area and the Natural Environment Development Permit Area.

4.2 Site Context

The proposed area is located within the Permanent Growth Boundary, and is fully serviced. The subject property's location has walkable access to the Quail golf course, and a short vehicle commute to the Kelowna International Airport, and the University of British Columbia Okanagan Campus. The subject property has a Walk Score of 17 as almost all errands require a car, in addition there are few transit stops near the subject property. The subject area is not located within the Agricultural Land Reserve (ALR) however the rest of the golf-course property is located with the ALR.

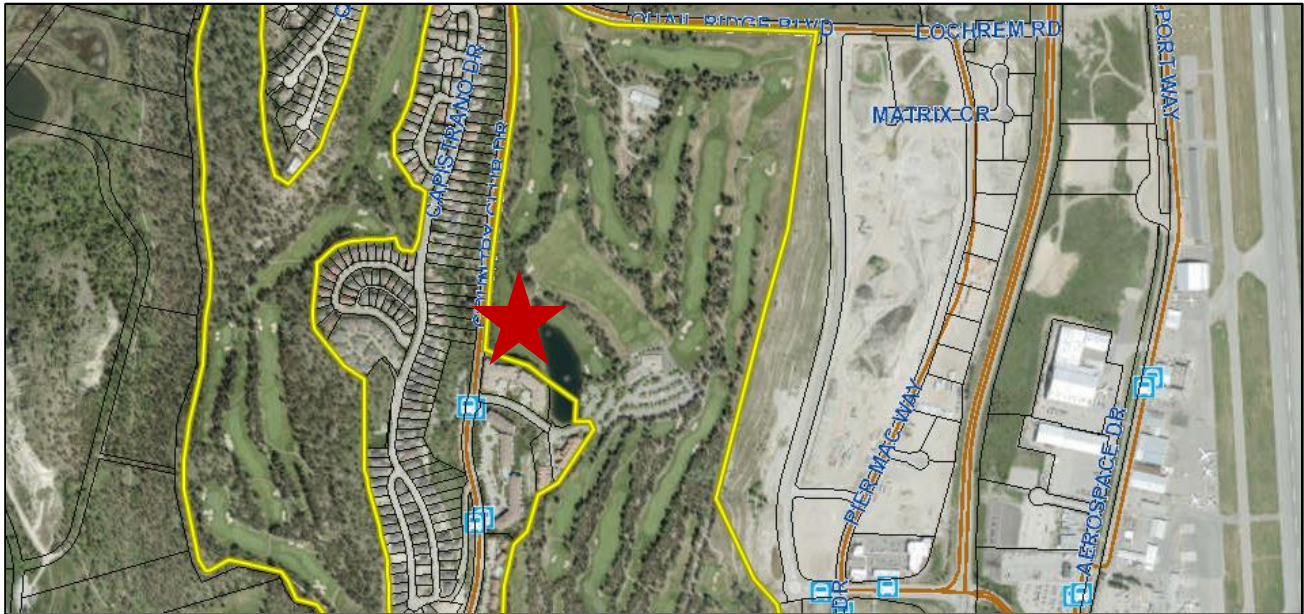
4.3 Proposal

The proposal to amend the OCP to MRL - Multiple Unit Residential (Low Density) and rezone to RM3 – Low Density Multiple Housing is meant to allow for a future town home development. A subdivision application has been submitted to subdivide the subject area from the golf-course. A development permit application has not yet been submitted.

Conceptual plans have been provided showing that if the OCP and Zoning Bylaw amendments were approved the plan would be to create 23 unit townhouse development with a mix of duplex, triplex, 4-plex and 6-plex type buildings. The proposed RM3 zone allows for row-housing and semi-detached housing up to 3 storeys in height. The development concept is consistent with the proposed OCP designation of MRL –

Multiple Unit Residential as this destination is meant to accommodate townhouses with a density consistent with provisions of the RM₃ zone.

Subject Property Map: 3200 Via Centrale



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Policy 5.2.3 to meet the objective of developing sustainably supports a mix of uses within Kelowna's suburbs in accordance with 'smart growth' principals including all types of residential uses at appropriate locations and densities. The proposed zone is compatible the surrounding neighbourhood and meets smart growth principals by contributing to a mix of land uses in the area and provides for a more compact building types than single detached houses.

Policy 5.3.2 to meet the objective of focusing development to designated growth areas encourages developing a compact urban form that maximises the use of existing infrastructure. The subject property is located within the permanent growth boundary and will be able to utilize existing infrastructure such as water and sewer.

Policy 5.4.1 to meet the objective of ensuring adherence to form and character, natural environment, hazardous condition and conservation guidelines requires that multiple unit residential developments obtain the applicable Development Permits prior to building permit issuance. This property is located within the Urban Design Comprehensive Development Permit Area and the Natural Environment Development Permit area.

Policy 5.3.9 to meet the objective of ensuring all development is consistent with the vision, goals and objectives of the OCP development applications that require an OCP amendment are evaluated on the basis of the extent to which they comply with underlying OCP objectives, this proposed development meets the applicable objectives of the OCP, specifically the property is serviced with water and City sanitary sewer, the project involves redevelopment of currently under-utilized urbanized land, and the proposed use is compatible with the existing neighbourhood.

6.0 Technical Comments

6.1 Development Engineering Department

- Refer to Development Engineering Memo dated November 29, 2018.

7.0 Application Chronology

Date of Application Received: November 19, 2018

Date Public Consultation Completed: January 3rd, 2019

Report prepared by: Alex Kondor, Planner Specialist/ Wesley Miles, Planner Specialist

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment 1: Conceptual Site Plan/Elevations

Attachment 2: Application Letter

Attachment 3: Development Engineering Memo

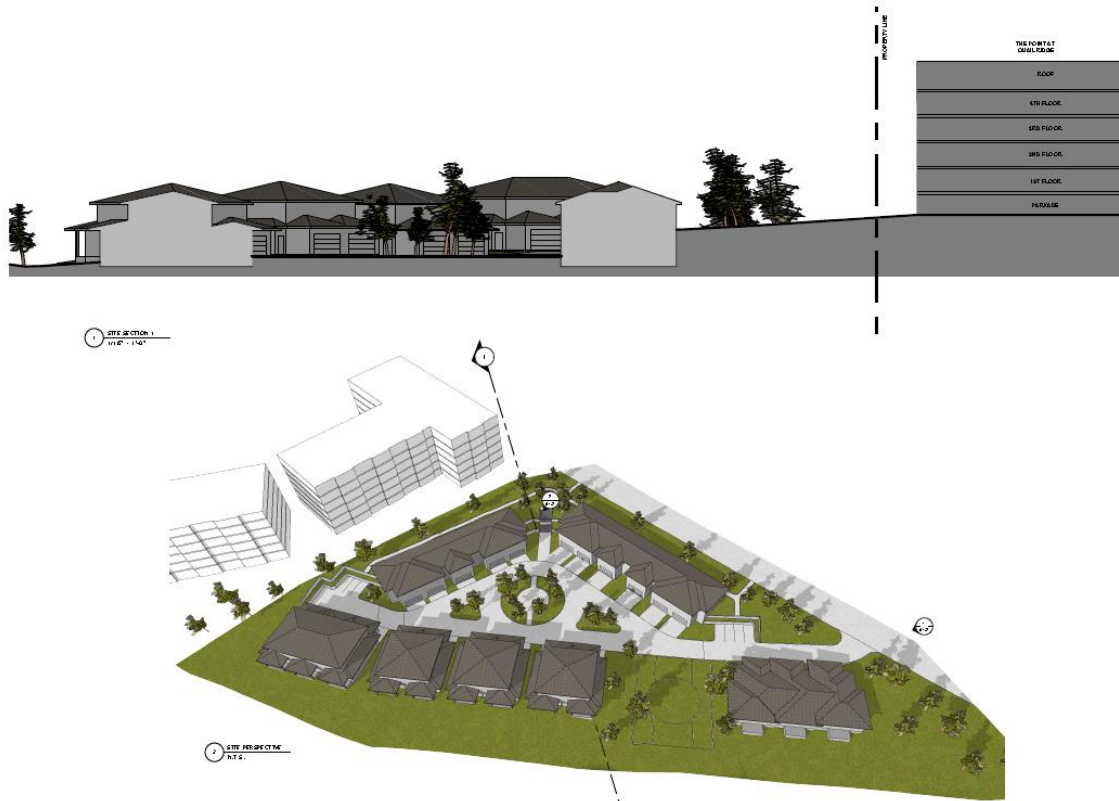
Map A: OCP Amendment

Map B: Zoning Bylaw Amendment

SCHEDULE A – Concept Plan



Subject: Via Centrale 3200 (OCP18-0020/Z18-0113)



SCHEDULE B – Letter From Applicant



Subject: Via Centrale 3200 (OCP18-0020/Z18-0113)

davara.

The logo for Burrard Group, consisting of a stylized 'B' inside a circle followed by the text "BURRARD GROUP".

November 08, 2018

City of Kelowna Planning Department
1435 Water Street
Kelowna B.C.
V1Y 1J4

Re: OCP Amendment Minor, Rezoning & Subdivision
Address: 3200 Via Centrale

Further to pre-application meetings and correspondence with the City of Kelowna Planning and Engineering Departments, Burrard International in Partnership with Davara Holdings is excited to formally apply for: a minor OCP amendment, rezoning to RM3 and subdivision of a 2.8 acre section of 3200 Via Centrale in order to accommodate the construction of a new townhome development.

The subject property is currently part the Quail golf course's 18th fairway. The proposal calls for the improvement and re configuration of the fairway to ensure the course remains an 18 hole facility that challenges and exceeds the expectations of the Bear and Quail membership, while also making room for the development proposal.

Although the application is requesting an OCP amendment and Rezoning the entitlements process is quite unique, in that the subject property was previously encompassed under the CD6 zone. Through a City directed initiative the CD6 zone was eliminated, but in this case not intended to discard the remaining approximately 110 unit entitlements that had already been granted to the subject property and surrounding lands. Correspondence with the City has confirmed the intention was never to remove entitlements from the lands but simply to clean up what was viewed as a cumbersome zone.

To ensure the Bear and Quail community is engaged and informed throughout this process the residents association was contacted and an invitation sent to all members of the community association to attend a public open house held on September 20th 2018.

The open house was well attended with over 50 guests reviewing the early conceptual plans for both the future townhome project as well as the re configuration of the 18th fairway. A follow up meeting was held with the Residents Association President to ensure proper lines of communication are available for any questions or concerns surrounding the proposal.

As the application moves through the public process and conceptual designs become more detailed with the submission of a development permit, the project team will hold a second open house to ensure transparency is available and feedback taken into consideration.

Thank you for the assistance to date in the pre-application process. Burrard and Davara look forward to expanding on the project details and working collaboratively with the City on the project through to a successful completion.

X

David Sargent
VP Davara Holdings

SCHEDULE C – Development Engineering Memoranda



Subject: Via Centrale 3200 (OCP18-0020/Z18-0113)

CITY OF KELOWNA	
MEMORANDUM	
Date:	November 29, 2018
File No.:	Z18-0113
To:	Planning & Development Services Department (AK)
From:	Development Engineer Manager (JK)
Subject:	3200 Via Centrale ., Lot A, Plan 56201 P3LP to RM3

Development Engineering has the following comments and requirements associated with this application rezone the subject property from P3LP to RM3 are as follows:

- 1. General**
 - a. Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement buildings may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.
 - b. Provide easements as may be required.
 - c. This proposed subdivision may require the installation of centralized mail delivery equipment. Please contact Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC V1Y 2K0 to obtain further information and to determine suitable location(s) within the development.
- 2. Geotechnical Study**
 - a) Provide a comprehensive geotechnical report and hydro-geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**

The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

 - (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - (ii) Site suitability for development.
 - (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).

- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.
- (vi) Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
- ii) Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.
- iii) Recommendations for items that should be included in a Restrictive Covenant.
- iv) Any special requirements that the proposed subdivision should undertake so that it will not impact the bank(s). The report must consider erosion and structural requirements.
- v) Any items required in other sections of this document.
- vi) Recommendations for erosion and sedimentation controls for water and wind.
- vii) Recommendations for roof drains and perimeter drains.

Recommendations for construction of detention or infiltration ponds if applicable.

3. Sanitary Sewer System

- a) The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for any removal and disconnection of the existing services and the installation of one new service.
- b) A flow analysis check is required by the developer's civil engineering consultant to determine if there are any down stream impacts to the sewer system triggered by this development.

4. Water Servicing Requirements

This development is within the service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with the City of Kelowna current Bylaws and Policies.

5. Storm Drainage

- a) Provide an adequately sized drainage system complete with individual lot connections. The Subdivision, Development and Servicing Bylaw requires that each lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.
- b) Provide the following drawings:
 - i) A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
 - ii) A detailed Stormwater Management Plan for this subdivision; and water treatment before entering any storm water pond or wet land
 - iii) An Erosion and Sediment Control Plan.
- c) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- d) Any Stormwater discharged to Stormwater ponds or wet lands must be approved by City of Kelowna, Suburban and Rural Planning Department.

6. Road Improvements

- a.) Country Club Dr. fronting development must be Landscaped boulevards, complete with underground irrigation design drawing as per bylaw.
- b.) Access driveway should be designed to the SS-C7 standard Driveway width must conform to bylaw 7900.
- c.) All Lanes to be constructed to SS-H15 or SS-R2 with 6.0m clear asphalt roadway with no parking.

7. Road Dedication and Subdivision Requirements

- (a) Grant Statutory Rights Of Way if required for utility services.
- (b) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

8. Power and Telecommunication Services

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

9. Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.

- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. Servicing Agreements for Works and Services

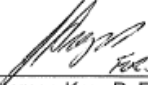
- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

11. Administration Charge

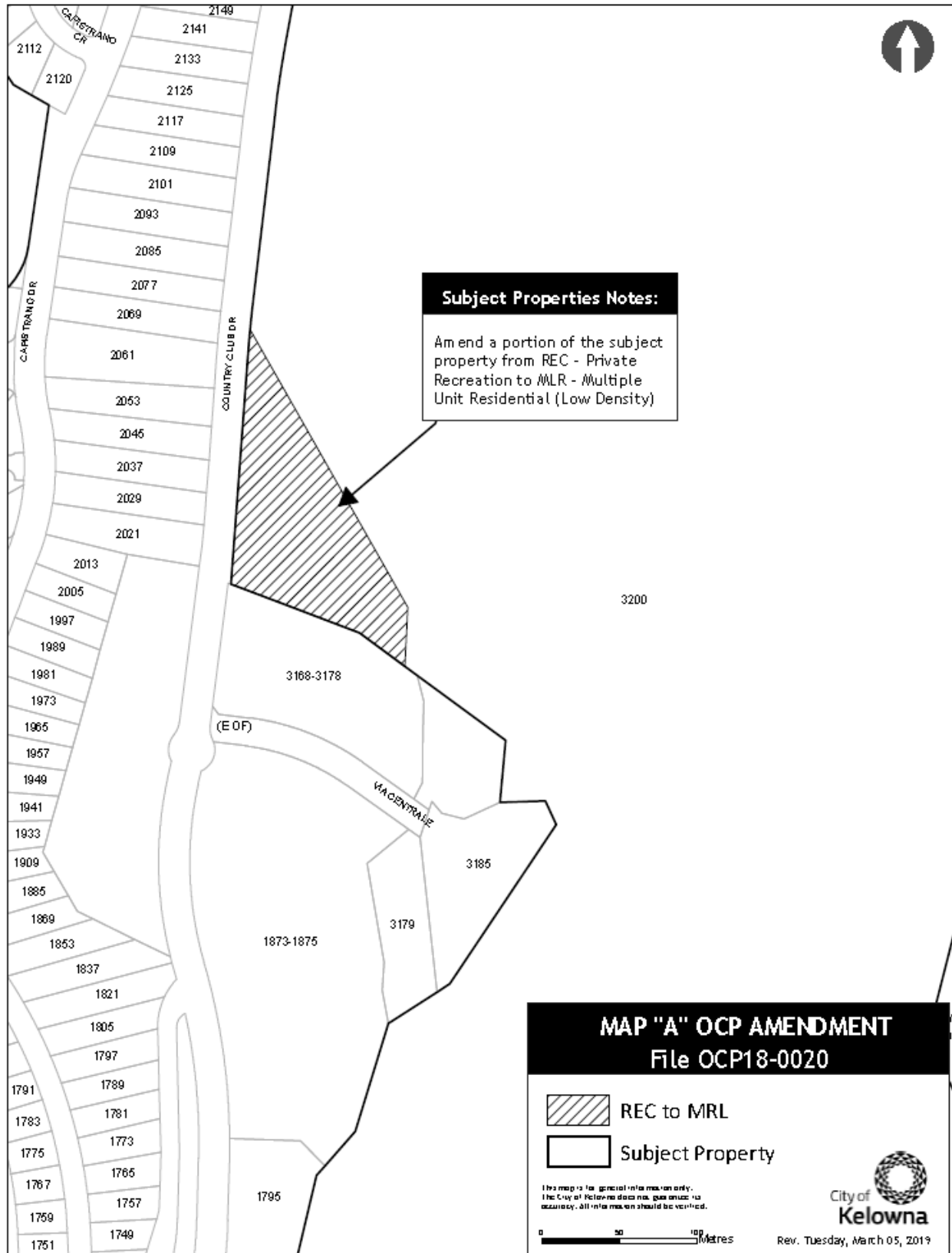
An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3.5% of Total Off-Site Construction Cost plus GST).

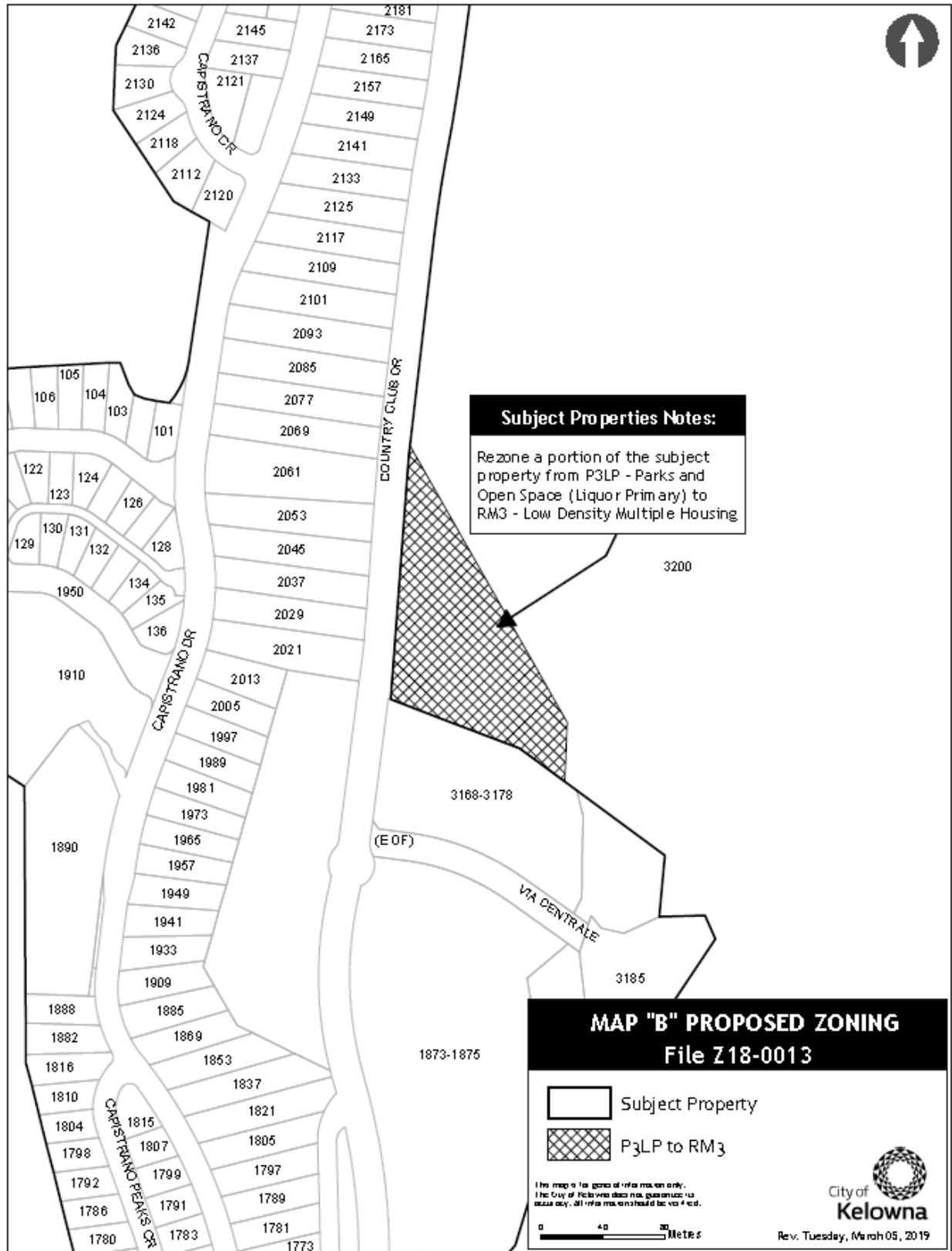
12. Survey, Monument and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.



James Kay, P. Eng.
Development Engineering Manager
RO





REPORT TO COUNCIL



Date: March 18, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LK)

Application: Z18-0122

Owner: The Flowr Group(Okanagan)
Inc., Inc. No. BCo974062

Address: 9670 McCarthy Road

Applicant: Meiklejohn Architectural
Design Studio Inc.

Subject: Rezoning Application

Existing OCP Designation: IND - Industrial

Existing Zone: I₃ – Heavy Industrial

Proposed Zone: I₂ – General Industrial

1.0 Recommendation

THAT Rezoning Application No. Z18-0122 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 11 Township 20 ODYD Plan 3997, located at 9670 McCarthy Road, Kelowna, BC from the I₃ – Heavy Industrial zone to the I₂ – General Industrial zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the Applicant providing a landscape plan for Planning Staff review and approval;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the applicant posting with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated February 25, 2019.

2.0 Purpose

To rezone the subject property from the I₃ – Heavy Industrial zone to the I₂ – General Industrial zone to facilitate the construction of a new industrial building.

3.0 Community Planning

Community Planning is supportive of the request to rezone the subject property from the I3 – Heavy Industrial zone to the I2 – General Industrial zone. The Official Community Plan (OCP) has a Future Land Use of Industrial for the subject property and the adjacent parcels within the City of Kelowna boundary. Across McCarthy Road, the parcels are within the Lake Country area and contain farming uses.

4.0 Proposal

4.1 Background

In 2017, Council approved rezoning of the parcel located at 9590 McCarthy Road from the I3 – Heavy Industrial zone to the I2 – General Industrial Zone and in 2018 Council approved the rezoning of 9580 McCarthy Road from the A1 – Agriculture zone to the I2 – General Industrial zone. This building is currently under construction. The comprehensive Flowr campus is expanding to include the development of another two adjacent parcels to the north (9670 & 9640 McCarthy Road).

4.2 Project Description

The proposed development consists of two parcels which will be consolidated to a single legal lot. 9640 McCarthy Road is zoned I2 and 9670 McCarthy Road is I3. Rezoning the 9670 McCarthy Road parcel from I3 – Heavy Industrial to I2 – General Industrial will align the zoning across the two parcels and with the applicants previous approved development proposals within the area.

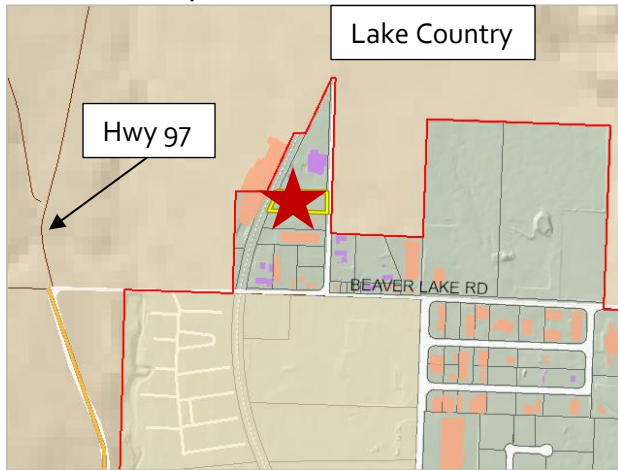
The I2 zone has reduced setback requirements and increases the allowable FAR in comparison to the I3 zone. The properties are situated directly across from ALR land that is within the Lake Country boundaries. Due to this, Staff will require a minimum 3.0 m landscape buffer be provided across the street frontage width to meet the Zoning Bylaw Landscape Requirements. The subject properties also share a rear property line with the Okanagan Rail Trail. The applicant will need to provide a landscape buffer design for staff to review. As part of the conditions of Rezoning Adoption, the Applicant will be required to provide a Landscape Performance Security to address both the front and rear property line buffering requirements.

Staff is working with the applicant to address on-site parking across all four properties. A parking covenant has been registered on title between two of the lots and will be modified as required. Should the applicant meet the parking provision, all other Zoning Bylaw Development Regulations would comply and the applicant could proceed directly to a Building Permit as a Development Permit would not be required for the new building. Should a variance be required for parking, a Development Variance Permit application would come before Council for consideration.

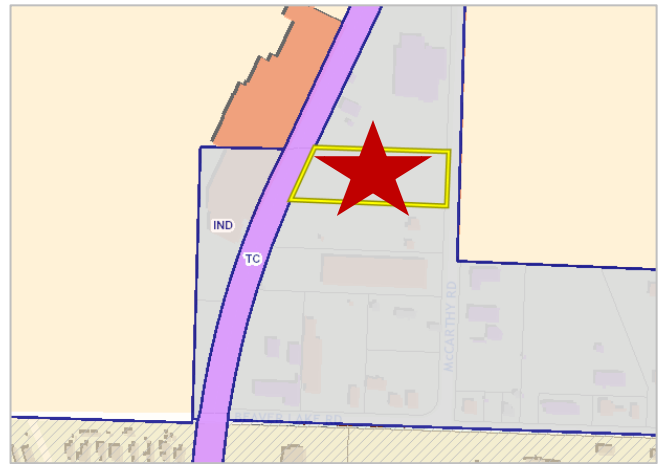
In fulfillment of Council Policy No. 367, the applicant completed public notification and consultation with adjacent property owners.

4.3 Site Context

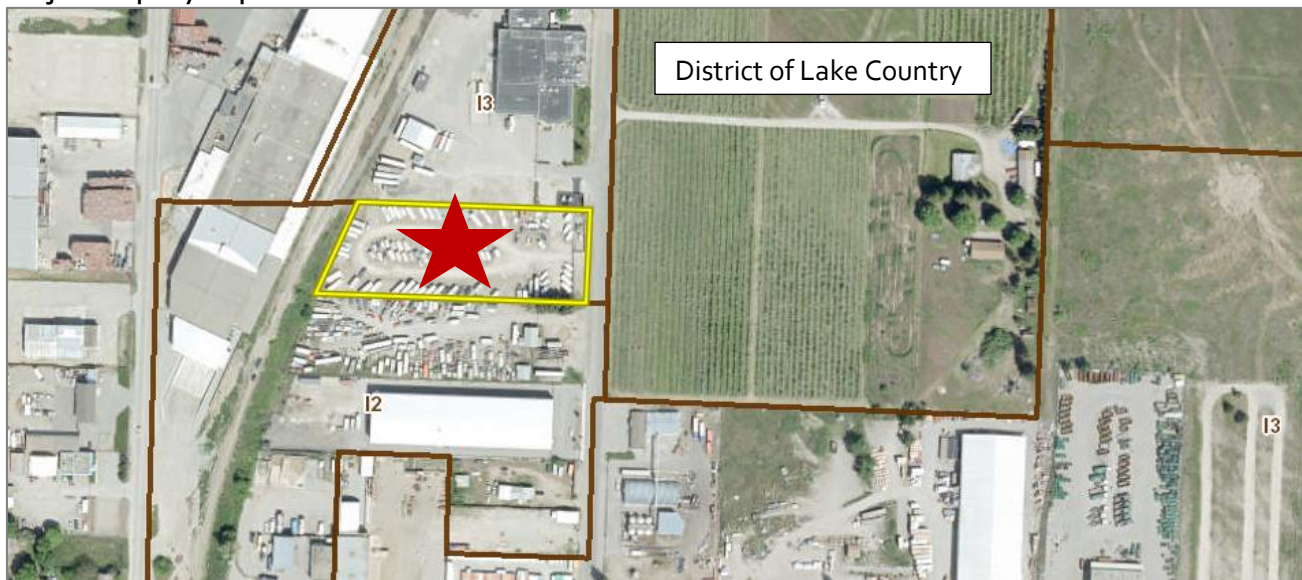
Site Context Map:



Future Land Use Map:



Subject Property Map:



5.0 **Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Development Process

Industrial Land Use Policies.¹ Focus industrial development to areas suitable for industrial use.

6.0 **Technical Comments**

6.1 Development Engineering Department

Refer to Attachment A.

7.0 Application Chronology

Date of Application Received: December 13, 2018

Date Public Consultation Completed: February 22, 2019

Report prepared by: Lydia Korolchuk, Planner

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Development Engineering Memorandum dated December 17, 2018.

Attachment B: Site Plan

¹ City of Kelowna Official Community Plan, Policy 5.28 (Development Process Chapter).

CITY OF KELOWNA

MEMORANDUM

Date: December 17, 2018
File No.: Z18-0122
To: Urban Planning (LK)
From: Development Engineering Manager (JK)
Subject: 9670 McCarthy Road

ATTACHMENT A	
This forms part of application # Z18-0122	
Planner Initials	<div>LK</div>
 City of Kelowna COMMUNITY PLANNING	

Zone: I3 to I2

The Development Engineering Department has the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Aaron Sangster.

1. General

- a) The Fire Department and Environment Division requirements and comments are addressed separately.
- b) These are Development Engineering comments/requirements and are subject to the review and requirements from the Ministry of Transportation (MOTI) Infrastructure Branch.
- c) The developer must consolidate 9640 and 9670 McCarthy rd.

2. Geotechnical Report

- a) Provide a comprehensive geotechnical report, prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**

The Geotechnical report must be submitted prior to submission of Engineering drawings or application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iv) Any special requirements for construction of roads, utilities and building structures.

- (v) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.
- ii) Any special requirements that the proposed subdivision should undertake so that it will not impact the bank(s). The report must consider erosion and structural requirements.
- iii) Any items required in other sections of this document.
- iv) Recommendations for erosion and sedimentation controls for water and wind.
- v) Recommendations for roof drains and perimeter drains.
- vi) Recommendations for construction of detention or infiltration ponds if applicable.

3. Domestic Water and Fire Protection

- a) The property is located within the Lake Country service area. Design drawings must be reviewed by Lake Country prior to the City issuing the drawings for construction. Confirmation of their review must be provided to the City for review.
- b) Provide an adequately sized domestic water and fire protection system complete with individual lot connections. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. Only one service will be permitted for this development.
- c) A water meter is mandatory for this development and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system

4. Sanitary Sewer

- a) The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal and disconnection of the existing services and the installation of one new larger service.
- b) An inspection manhole must be installed at property line on the sanitary service at the owner's cost.
- c) The Connection Area #32 charge is currently set by Bylaw at \$2,600.00 per Single Family Equivalent (SFE). Determined by bylaw No. 8469, the assessed value of 2.0 & 1.942 Acres for lots 9640 & 9670 McCarthy respectively is 11.03 SFE = **\$28,677.00**.
- d) Abandon and backfill existing septic tanks in accordance with Building Department requirements, if applicable. Identify, on the Lot Grading Plan, the location of the existing tanks and fields.

5. Storm Drainage

- a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems.
- b) Provide the following drawings:
 - i) A detailed Stormwater Management Plan for this development; and,
 - ii) An Erosion and Sediment Control Plan.

6. Roads

McCarthy Rd must be upgraded to a 2-lane collector along the full frontage of this proposed development including curb and gutter, LED street lights, landscaped & irrigated boulevard, sidewalk, drainage system including catch basins and storm main, and pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The road cross section to be used is a SS-R5.

7. Road Improvements and Dedication

- a) Grant Statutory Rights of Way if required for utility services.
- b) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, TELUS, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.
- c) The ultimate width of McCarthy Road is a 20.0m right of way (R.O.W). The R.O.W. in the front of the subject property is deficient by approximately 2.5m. The developer must dedicate 2.5m width along the full frontage of 9670 McCarthy Rd.
- d) The developer must follow Bulletin #18-06: Okanagan Rail Trail, landscaped buffer requirements.

8. Electric Power and Telecommunication Services

The electrical and telecommunication services to this building must be installed in an underground duct system, and the building must be connected by an underground service. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

9. Design and Construction

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.

- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. Servicing Agreements for Works and Services

- (a) A Servicing Agreement is required for all offsite works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

11. Other Engineering Comments

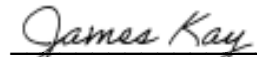
- (a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- (b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

12. Development Permit and Site Related Issues

- (a) Access and Manoeuvrability
 - (i) An MSU standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan.
 - (ii) Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.

13. Charges and Fees

- a) Development Cost Charges (DCC's) are payable
- b) Fees per the "Development Application Fees Bylaw" include:
 - i) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - ii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).

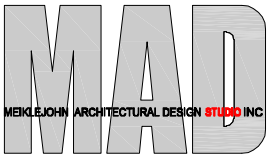
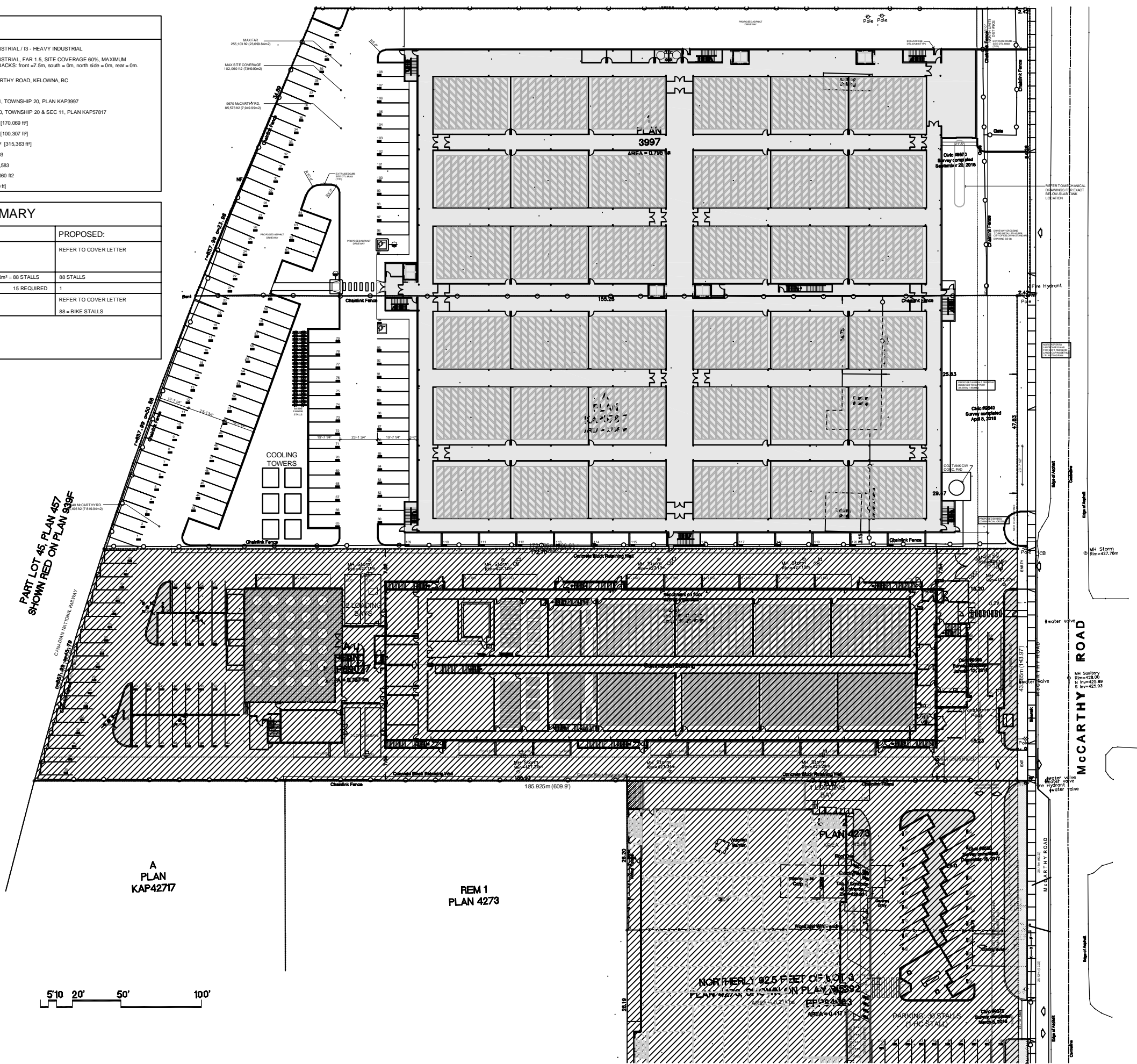


James Kay, P.Eng,
Development Engineering Manager

AS

ZONING SUMMARY	
ZONING EXISTING:	I2 - GENERAL INDUSTRIAL / I3 - HEAVY INDUSTRIAL
ZONING PROPOSED:	I2 - GENERAL INDUSTRIAL, FAR 1.5, SITE COVERAGE 60%, MAXIMUM HEIGHT 14m, SETBACKS: front = 7.5m, south = 0m, north side = 0m, rear = 0m.
CIVIC ADDRESS:	9670 & 9640 MCCARTHY ROAD, KELOWNA, BC
LEGAL DESCRIPTION:	LOT 1, SECTION 11, TOWNSHIP 20, PLAN KAP3997 LOT A, SECTION 10, TOWNSHIP 20 & SEC 11, PLAN KAP57817
LOT AREA:	15,799.9 m ² [170,069 ft ²]
PROPOSED TOTAL BUILDING AREA:	9,318.83m ² [100,307 ft ²]
TOTAL GROSS BUILDING AREA:	29,298.18m ² [315,363 ft ²]
ALLOWABLE FAR:	1.5 = 255,103
PROPOSED FAR AREA:	1,497 = 254,583
ALLOWABLE SITE COVERAGE:	60% = 102,060 ft ²
PROPOSED BUILDING HEIGHT	14.0m [45.9 ft]

PARKING BYLAW SUMMARY		
VEHICLE PARKING	REQUIRED:	PROPOSED:
	1 PER EMPLOYEE	REFER TO COVER LETTER
BICYCLE PARKING:	CLASS 2 - .3 per 100m ² = 88 STALLS	88 STALLS
LOADING:	1 PER 1900m ² GFA	15 REQUIRED
TOTAL PARKING STALLS:	CAR = 121 STALLS BIKE = 88 STALLS	REFER TO COVER LETTER 88 = BIKE STALLS
VEHICLE STALLS (LARGE):	6m x 2.5m	
VEHICLE STALLS (MEDIUM):	4.9m x 2.3m	
VEHICLE STALLS (PARALLEL):	7m x 2.6m	
ALL HIC STALLS ARE LARGE:	6m x 3.7m	
LOADING BAYS ARE:	12.2m x 3.6 x 3.65m	



201 - 75 FRONT STREET, PENTICTON, BC, V2A 1H2
TEL: 250.492.3143 EMAIL: Office@meiklejohn.ca
COPYRIGHT RESERVED

HAWTHORNE

flwr

ATTACHMENT B

This forms part of application
Z18-0122

Planner
Initials LK



City of
Kelowna
COMMUNITY PLANNING

HALF-SIZE PLOT
Scales noted @ 50%

COPYRIGHT RESERVED. THIS PLAN AND DESIGN IS AND AT ALL TIMES REMAINS THE EXCLUSIVE PROPERTY OF MEIKLEJOHN ARCHITECTS INC. AND MAY NOT BE USED WITHOUT THE ARCHITECT'S CONSENT.

No.	DATE	REVISION
1	2018.12.07	ISSUED FOR REZONING PER

PROJECT TITLE

FLOWR BUILDING #2
McCarthy Road
Kelowna, BC

ADDRESS: 9640 & 9670 MCCARTHY RD. KELOWNA I

DRAWING NUMBER

PA201

DRAWINGS ARE NOT TO BE SCALED.
ALL DIMENSIONS SHALL BE VERIFIED ON SITE

DRAWING TITLE

SITE PLAN

Dwg: 18.065 Presentation Layouts

DATE	2018.11.26
JOB NO.	18.065
SCALE	AS NOTED
DRAWN	-
CHECKED	-

1 SITE PLAN
Scale: 1/16"=1'-0"

REPORT TO COUNCIL



Date: March 25, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z19-0010 **Owner:** 449048 British Columbia Ltd.,
1145399

Address: 1455-1475 Harvey Ave **Applicant:** Christy & Associates

Subject: Rezoning Application

Existing OCP Designation: MXR – Mixed Use (Residential / Commercial)
PARK – Major Park / Open Space (public)

Existing Zone: C3 – Community Commercial

Proposed Zone: C3rcs – Community Commercial (Retail Cannabis Sales)

1.0 Recommendation

THAT Rezoning Application No. Z19-0010 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 137 Osoyoos Division Yale District Plan KAP54811, located at 1455-1475 Harvey Avenue, Kelowna, BC from the C3 – Community Commercial zone to the C3rcs – Community Commercial (Retail Cannabis Sales) zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

2.0 Purpose

To rezone the subject property to facilitate the development of a retail cannabis sales establishment.

3.0 Community Planning

Community Planning Staff recommend support for the rezoning application to allow for a retail cannabis sales establishment on the subject property. This application was received prior to the close of the first intake of retail cannabis sales establishment applications on November 30, 2018. As such, it was evaluated in accordance with a Council-endorsed process and was selected, based on its score, to move forward with the City's standard rezoning process, established in the Development Application Procedures Bylaw. This application received a score of 62.86, and the average overall score of all applications evaluated was 69.53.

Should Council support the proposed Rezoning Bylaw, the property would be rezoned to a retail cannabis sales subzone, and Staff would send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch indicating support for issuance of a non-medical cannabis retail store license for this property.

The application meets the Zoning Bylaw No. 8000 and there are no variances being requested. Further, the applicant has confirmed the completion of public notification in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Background

The unit proposed to be used for the retail cannabis sales establishment was previously another retail store, however is currently vacant.

4.2 Site Context

The subject property is located at the southwest corner of the Harvey Avenue and Burtch Road intersection. Sensitive uses that were identified within a 150 metre radius include a Liquor Primary Establishment, a Child Care Centre, Major and a Social Services Office.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C3 – Community Commercial RM5 – Medium Density Multiple Housing	Commercial Residential
East	C3 – Community Commercial	Commercial
South	P1 – Major Institutional P2 – Education and Minor Institutional	Extended Medical Treatment Services Religious Assemblies
West	P1 – Major Institutional RU6 – Two Dwelling Housing	Extended Medical Treatment Services Residential

Subject Property Map: 1455-1475 Harvey Avenue



5.0 Technical Comments

5.1 Development Engineering Department

This application does not compromise any City of Kelowna municipal infrastructure.

These Development Engineering comments/requirements and are subject to the review and requirements from the Ministry of Transportation (MOTI) Infrastructure Branch.

6.0 Application Chronology

Date of Committee Evaluation of Application: January 11, 2019

Date of Application Accepted: February 4, 2019

Date Public Notification Completed: March 4, 2019

Report prepared by:	Kimberly Brunet, Planner
Reviewed by:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Attachment "A" - Site Plan

REPORT TO COUNCIL



Date: March 25, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z19-0008

Owner: T 252 Enterprises Ltd., Inc.No.
BC1184462

Address: 2090 Harvey Avenue

Applicant: 10330698 Canada Ltd.

Subject: Rezoning Application

Existing OCP Designation: MXR – Mixed Use (Residential / Commercial)

Existing Zone: C4 – Urban Centre Commercial

Proposed Zone: C4rcs – Urban Centre Commercial (Retail Cannabis Sales)

1.0 Recommendation

THAT Rezoning Application No. Z19-0008 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6 District Lot 127 Osoyoos Division Yale District Plan 34162 Except Plan EPP5106, located at 2090 Harvey Avenue, Kelowna, BC from the C4 – Urban Centre Commercial zone to the C4rcs – Urban Centre Commercial (Retail Cannabis Sales) zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

2.0 Purpose

To rezone the subject property to facilitate the development of a retail cannabis sales establishment.

3.0 Community Planning

Community Planning Staff recommend support for the rezoning application to allow for a retail cannabis sales establishment on the subject property. This application was received prior to the close of the first intake of retail cannabis sales establishment applications on November 30, 2018. As such, it was evaluated in accordance with a Council-endorsed process and was selected, based on its score, to move forward with the City's standard rezoning process, established in the Development Application Procedures Bylaw. This application received a score of 85.71, and the average overall score of all applications evaluated was 69.53.

Should Council support the proposed Rezoning Bylaw, the property would be rezoned to a retail cannabis sales subzone, and Staff would send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch indicating support for issuance of a non-medical cannabis retail store license for this property.

The application meets the Zoning Bylaw No. 8000 and there are no variances being requested. Further, the applicant has confirmed the completion of public notification in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Background

The unit proposed to be used for a retail cannabis sales establishment currently has an active City of Kelowna Business Licence for a cannabis counseling facility. This type of business licence has a restriction that prohibits the retail sales of cannabis or cannabis derivatives from the premises. Should Council support the proposed Rezoning Bylaw, this unit would be rebranded and converted to a retail cannabis sales establishment.

4.2 Site Context

The subject property is located at the northwest corner of the Cooper Road and Harvey Avenue intersection. It is in close proximity to Orchard Park Shopping Centre and Orchard Plaza. Sensitive uses that were identified within a 150 metre radius include a Retail Liquor Sales Establishment (located within a Retail Store at 1840-1920 Cooper Road).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 – Urban Centre Commercial	Commercial
East	C4 – Urban Centre Commercial	Commercial
South	C4 – Urban Centre Commercial C4LR - Urban Centre Commercial (Retail Liquor Sales)	Commercial
West	C4 – Urban Centre Commercial	Commercial

Subject Property Map: 2090 Harvey Avenue



5.0 Technical Comments

5.1 Development Engineering Department

This application does not compromise any City of Kelowna municipal infrastructure.

These Development Engineering comments/requirements are subject to the review and requirements from the Ministry of Transportation (MOTI) Infrastructure Branch.

6.0 Application Chronology

Date of Committee Evaluation of Application: January 11, 2019

Date of Application Accepted: February 4, 2019

Date Public Notification Completed: March 4, 2019

Report prepared by:	Kimberly Brunet, Planner
Reviewed by:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Attachment "A" – Site Plan



SCALE = 1:200
DATE: 23/11/2018

