

Schedule "D"

TA18-0008

Background

Due to the significant number of inquiries that have been received, it is anticipated that the City of Kelowna may receive more rezoning applications than can initially be processed for Retail Cannabis Sales Establishments. As such, Staff are proposing the use of an evaluation matrix for scoring and prioritizing applications. Complete applications would be evaluated by a multi-departmental committee against regulations and a scoring matrix.

Staff are looking for Council to endorse this process for accepting and evaluating rezoning applications for retail cannabis sales establishments, and to direct staff to accept the initial rezoning applications between October 1, 2018 and November 30, 2018. Applications received during this timeframe would be evaluated by the committee after this date.

Application Requirements

In accordance with City of Kelowna's Development Application Procedures Bylaw No. 10540 (Schedule '2', Section 1.1) the following items are required as part of a rezoning application:

- (a) Application fee (established in Development Application Fees Bylaw No. 10560)
- (b) Application Form, indicating proposed location
- (c) State of Title Certificate
- (d) Owners Authorization form (if applicable)
- (e) Site Profile or Site Profile Waiver
- (f) Zoning Analysis Table
- (g) Project Rationale* (*see greater detail below*)
- (h) Photographs of the existing site
- (i) Sustainability Statement
- (j) Site plan (*including showing how parking requirements are being met*)
- (k) Floor Plan
- (l) Elevation Drawings

Schedule '2', Section 1.2 of the Development Application Procedures Bylaw gives the Department Manager, Community Planning to require additional development approval information, to adequately evaluate an amendment application, in accordance with Section 2.4 of this bylaw. As such, Staff are looking for the following additional information to be provided as part of a rezoning application for a retail cannabis sales subzone:

- (a) Detailed Business Plan, which should include:
 - (i) Description of how the cannabis retail store in the identified location is in compliance with all applicable City bylaws; and
 - (ii) How any potential neighbourhood impacts of the cannabis retail store will be minimized
 - (iii) Proposed hours of operation; and
 - (iv) Proposed security measures;
- (b) Details on the potential form, character and design of the proposed retail store, including
 - (i) Signage

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- (ii) Interior and exterior lighting
- (iii) Materials and colour board
- (c) Landscape Plan (if applicable)

Additional information may also be required.

Scoring Matrix

Criteria	Points	% of total
The applicant(s) and/or owners failed to comply with previous City regulations specific to cannabis	Maximum – 20 points	(20 %)
Location and Community Compatibility and Impact <ul style="list-style-type: none"> • The location complies with Zoning Bylaw requirements and no variances are being requested • The location is at an adequate distance from sensitive uses, which may include: <ul style="list-style-type: none"> ○ Support or Emergency Services Facilities; ○ Childcare Facilities; ○ Community Facilities (i.e. Libraries, Community Centres); ○ Retail Liquor Sales Establishments; and ○ Liquor Primary Establishments. 	Maximum + 40 points	25 %
Security Plan <ul style="list-style-type: none"> • Adequately address security for the particular site and operation 	Maximum + 15 points	15 %
Qualifications and Experience of the Applicant(s) and/or Owners: <ul style="list-style-type: none"> • The applicant provides a viable business plan • The applicant has previous successful business experience and background 	Maximum + 20 points	30 %
Building Façade and Interior Improvements <ul style="list-style-type: none"> • The applicant provides a detailed interior improvement plan • The locations exterior and façade will be attractive and align with the design guidelines in the Official Community Plan 	Maximum + 25 points	30 %
Highest Possible Score:	100	100 %

Evaluation Committee

An evaluation committee is proposed to be composed of one member from each of the following:

- City Clerk
- Community Planning Department
- Bylaw Department
- Business Licensing Department

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- Building and Permitting Department
- Royal Canadian Mounted Police
- Business and Entrepreneurial Development

Process

Staff are looking for Council endorsement to accept rezoning applications for retail cannabis sales subzones between October 1, 2018 and November 30, 2018. All applications received prior to 4:00 PM on November 30, 2018 will be evaluated by the evaluation committee and the highest rated applications will be selected to move forward with a rezoning application. Applications that score below 50 will not be recommended for staff support. Applications who scored within 10% of each other will be considered materially equivalent and a lottery will be held to determine which application will be processed first. Multiple applications may be submitted by the same applicant for different locations, however only complete applications will be evaluated by the committee. The number of applications selected to move forward initially with a rezoning application will depend on the number of complete applications that are received, and the number that follow the setback regulations established in the Zoning Bylaw.

Applicants will be advised in writing what their application score was, and if their application was selected to move forward at this time. The processing procedure will occur in accordance with the Development Application Procedures Bylaw. The rezoning process typically takes six to eight months from the time of submission of a complete application to receive 3rd reading. Additional development applications (Development Permits, Development Variance Permits) may be required depending on the scope of the proposal, which would add additional processing time.

Council retains the ability to approve or deny applications as it sees fit.