

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