

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	C ₃ – Community Commercial C ₃ LR – Community Commercial (Retail Liquor Sales)	Commercial
East	P ₃ – Parks and Open Space RM ₅ – Medium Density Multiple Housing	Public Park Residential
South	C ₃ LR – Community Commercial (Liquor Primary)	Commercial
West	RU ₁ – Large Lot Housing RU ₂ – 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