

REPORT TO COUNCIL



Date: May 6, 2019

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z19-0034

Owner: Midwest Ventures Ltd., Inc.No.
BC0046021

Address: 5505-5507 Airport Way

Applicant: National Access Cannabis

Subject: Rezoning Application

Existing OCP Designation: COMM - Commercial

Existing Zone: C9 – Tourist Commercial
CD15 – Airport Business Park

Proposed Zone: C9 – Tourist Commercial (Retail Cannabis Sales)

1.0 Recommendation

THAT Rezoning Application No. Z19-0034 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 14 Township 23 Osoyoos Division Yale District Plan EPP23036, located at 5505-5507 Airport Way, Kelowna, BC from the C9 – Tourist Commercial zone and from the CD15 – Airport Business Park to the C9rcs – Tourist Commercial (Retail Cannabis Sales) zone as shown on Map "A" attached to the Report from the Community Planning Department dated May 6, 2019, 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 84.29, and the average overall score of all applications evaluated was 69.53. There were no other applications received that were located within a 500 metre radius of this application.

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

A Retail Liquor Sales Establishment is an identified sensitive use within 150 metre radius (at 1730-1756 Pier Mac Way).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD15CO- Airport Business Park	Mix of business park uses
East	CD12- Airport & A1- Agriculture 1	Restaurant, airport parking lot
South	CD15- Airport Business Park	Mix of business park uses
West	CD15- Airport Business Park	Mix of business park uses

Subject Property Map: 5505-5507 Airport Way



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 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:

Map A – Proposed Zoning Map
Attachment A – Site Plan and Floor Plan