REPORT TO COUNCIL

Date:	August 12, 2019		
To:	Council		
From:	City Manager		
Department:	Development Planning		
Application:	Z19-0018	**Owner:**	Dilworth Shopping Centre Ltd., Inc. No. 319846
Address:	2339-2397 Hwy 97 N	**Applicant:**	BC Liquor Distribution Branch
Subject:	Rezoning Application		
Existing Zone:	C4 – Urban Centre Commercial C4rls – Urban Centre Commercial (Retail Liquor Sales)		
Proposed Zone:	C4rcs - Urban Centre Commercial (Retail Cannabis Sales) C4rls/rcs – Urban Centre Commercial (Retail Liquor Sales/ Retail Cannabis Sales)		

1.0 Recommendation

THAT Rezoning Application No. Z19-0018 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot A, District Lots 126 and 532 Osoyoos Division Yale District Plan 40108, located at 2339-2397 Hwy 97 N, Kelowna, BC, from the C4 - Urban Centre Commercial and C4rls - Urban Centre Commercial (Retail Liquor Sales) zones to C4rcs - Urban Centre Commercial (Retail Cannabis Sales) and C4rls/rcs - Urban Centre Commercial (Retail Liquor Sales/ Retail Cannabis Sales) zones as shown on Map "A" attached to the report from the Development Planning Department dated August 12, 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 from C4 and C4rls to C4rcs and C4rls/rcs to facilitate the development of a retail cannabis sales establishment.

3.0 Development Planning

Development 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 63.57, 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 for this property.

The application meets Zoning Bylaw No. 8000 and no variances are 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

A retail cannabis sales establishment is proposed to be located at the north corner of the Dilworth Shopping Centre in an existing commercial unit.

4.2 Site Context

Sensitive uses identified within a 150m radius include a Retail Liquor Sales Establishment and a Liquor Primary Establishment.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C9P- Tourist Commercial	Hotel
East	C10- Service Commercial	Retail stores, service commercial
South	RM5- Medium Density Multiple Housing	Multiple dwelling housing
West	C4- Urban Centre Commercial/ C10- Service Commercial	Retail stores, service commercial

Subject Property Map: 2339-2397 Hwy 97 N



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 10, 2019
Date of Application Accepted: February 8, 2019
Date Public Consultation Completed: March 14, 2019

Report prepared by: Jocelyn Black, Planner Specialist

Reviewed by: Laura Bentley, Urban Planning & Development Policy Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Site Plan

Attachment B: Map "A"