

REPORT TO COUNCIL



Date: November 18, 2019

To: Council

From: City Manager

Department: Development Planning Department (JB)

Application: Z19-0109

Owner: Lexington Enterprises Ltd., Inc.
No. 381759

Address: 150 Hollywood Rd S

Applicant: Zen Canna Retail Corp.

Subject: Rezoning Application

Existing Zone: C4- Urban Centre Commercial

Proposed Zone: C4rcs- Urban Centre Commercial (retail cannabis sales)

1.0 Recommendation

THAT Rezoning Application No. Z19-0109 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of all land shown on the Strata Plan KAS2403, located at 150 Hollywood Rd S, Kelowna, BC from the C4- Urban Centre Commercial zone to the C4rcs- Urban Centre Commercial zone (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 consider an application to rezone the subject property from C₄- Urban Centre Commercial to C₄rcs- Urban Centre Commercial (retail cannabis sales) to allow for 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.

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 Project Description

A retail cannabis sales establishment is proposed in an existing ground-floor commercial retail unit.

4.2 Site Context

The property is located in the Rutland Urban Centre and has a Future Land Use Designation of MXR- Mixed Use (Residential/Commercial). The surrounding area is comprised of commercial and service commercial uses along the Hwy 33 W corridor.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C ₄ - Urban Centre Commercial	Food primary, retail stores general
East	C ₄ - Urban Centre Commercial	Retail stores, general
South	RU ₁ - Large Lot Housing	Single Dwelling Housing
West	RU ₁ - Large Lot Housing	Single Dwelling Housing

Subject Property Map:



5.0 Application Chronology

Date of Application Received: July 7, 2019
Date Public Consultation Completed: October 9, 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