

REPORT TO COUNCIL



Date: February 24, 2020

To: Council

From: City Manager

Department: Development Planning – Urban (HR)

Application: Z19-0140 **Owner:** Carolco Developments Ltd.,
Inc. No. BC0291464

Address: 532-538 Yates Rd **Applicant:** Mojo Cannabis

Subject: Rezoning Application

Existing Zone: C2 - Neighbourhood Commercial

Proposed Zone: C2rcs - Neighbourhood Commercial (Retail Cannabis Sales)

1.0 Recommendation

THAT Rezoning Application No. Z19-0140 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 32 Township 26 ODYD Plan KAP77456, located at 532-538 Yates Rd, Kelowna, BC from the C2 - Neighbourhood Commercial zone to the C2rcs - Neighbourhood 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 from C2 - Neighbourhood Commercial to C2rcs - Neighbourhood 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 adopt the proposed Rezoning Bylaw, the property would be rezoned to a Retail Cannabis Sales subzone. 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 proposed rezoning meets the regulations for Retail Cannabis Sales Establishments in Zoning Bylaw No. 8000 and there are no variances being requested.

4.0 Proposal

4.1 Project Description

A Retail Cannabis Sales Establishment is proposed in an existing ground-floor commercial retail unit on the subject property.

Subject Property Map:



4.2 Site Context

The subject property is located at the corner of Glenmore Rd and Yates Rd. There are two existing commercial buildings with multiple commercial units and associated parking and landscaping on the subject property. The property is located in the Glenmore – Clifton – Dilworth City Sector and has a Future Land Use Designation of COMM – Commercial. The surrounding area is predominantly comprised of residential uses along the Glenmore Rd corridor.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU5 - Bareland Strata Housing	Single Dwelling Housing
East	RU5 - Bareland Strata Housing	Single Dwelling Housing
	RM5 - Medium Density Multiple Housing	Multiple Dwelling Housing
South	RM5 - Medium Density Multiple Housing	Apartment Housing
West	RM2 - Low Density Row Housing	Apartment Housing

5.0 **Application Chronology**

Date of Application Received: December 6, 2019

Date Public Consultation Completed: January 28, 2020

Report prepared by: Hailey Rilkoﬀ, Planner I

Reviewed by: James Moore, Urban Planning & Development Policy Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Floor and Site Plans