

REPORT TO COUNCIL



Date: March 22, 2021

To: Council

From: City Manager

Department: Development Planning

Application: TA20-0024 **Owner:** 1568447 Alberta LTD.

Address: 889 Vaughan Ave, 880 and 890 Clement Ave **Applicant:** Ernest Jason Broome

Subject: Text Amendment Application

Existing OCP Designation: Industrial

Existing Zone: I4c – Central Industrial (Retail Cannabis Sales)

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA20-0024 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Development Planning Department dated March 22, 2021 of all land shown on Strata Plan EPS7283, located at 880 and 890 Clement Avenue and 889 Vaughan Avenue, Kelowna, BC NOT be considered by Council.

2.0 Purpose

To consider a Staff recommendation to NOT support a site-specific text amendment to change the minimum allowable distance for a cannabis production facility to lots that have a residential use as a principal use from 60 metres to 30 metres.

3.0 Development Planning

Staff is recommending non-support for the proposed site-specific text amendment. The proposal requires a text amendment to the specific use regulations for cannabis production facilities in Section 9.15.1 of the Zoning Bylaw:

9.15.1 Cannabis Production Facilities may not be located within 60 metres of any lot that has a residential use as a principal use, measured from closest lot line to closest lot line.

The proposed subject property is located approximately 30 m from closest lot line to closest lot line of 8 properties that have a residential use as a principle use. Additionally, 7 properties that have a residential use as a principle use are located within 60 m. Currently, these properties are zoned RU6 – Two Dwelling Housing,

but have a Future Land Use of MRM – Multiple Unit Residential (Medium Density), suggesting the density in this area may increase. The minimum distance of 60 metres is intended to limit the negative impacts of cannabis production on residential properties and the application to reduce the minimum distance by half does not meet the intent of our regulations.

4.0 Proposal

4.1 Project Description

A cannabis production facility is proposed in a new industrial development fronting onto Clement Ave and Ethel St. The proposed use for the site is to produce edible cannabis products.

4.2 Site Context

The property is in the Central City OCP sector on the North side of Clement Ave, between Richter St. and Ethel St. The proposed site is located within the building on the south-east corner of the property. The surrounding area is comprised of industrial, commercial, and residential uses.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I4 – Central Industrial	Wholesale trader
East	I4 – Central Industrial	Processing plant Gas station
South	RU6 – Two Dwelling Housing	Single family housing
West	I4- Central Industrial	General industrial

Subject Property Map: 889 Vaughan Ave



5.0 Application Chronology

Date of Application Received: October 12, 2020
Date Public Consultation Completed: January 07, 2021

6.0 Alternate Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA20-0024 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated March 22, 2021, located at 880 and 890 Clement Avenue and 889 Vaughan Avenue, Kelowna, BC be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

Report prepared by: Bronwyn Wydeman, Planner I

Reviewed by: Jocelyn Black, Urban Planning Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Site Specific Amendment to City of Kelowna Zoning Bylaw No. 8000

Attachment A: Applicant's Rationale