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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** February 12, 2003  
**File No.:** TA02-0007

**To:** City Manager

**From:** Planning and Development Services Department

**Subject:**

APPLICATION NO. TA02-0007                      APPLICANT: CITY OF KELOWNA

PURPOSE:                      TEXT AMENDMENTS TO ZONING BYLAW  
   NO. 8000, TO ADDRESS NEW PROVINCIAL LIQUOR  
   CONTROL POLICIES

REPORT PREPARED BY: RYAN SMITH

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**1.0      RECOMMENDATION**

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by updating the provisions of Bylaw No. 8000 as detailed in Schedule "A" as outlined in the report of the Planning & Development Services Department dated January 21, 2003;

AND THAT Text Amendment No. TA02-0007 be forwarded to a Public Hearing.

**2.0      SUMMARY**

The proposed amendments to the City of Kelowna Zoning Bylaw, as listed in Schedule "A" are presented as amendments to address the Provincial Government's changes to liquor control and licensing policy.

**3.0      BACKGROUND**

Municipal councils have always enjoyed direct involvement in the liquor licensing process through their ability to review certain types of liquor license applications. Tools such as business licenses, zoning, building permits and noise control have also provided local governments an element of control over the sale of liquor.

In 1999, the Province engaged in a broad review of its liquor licensing policy. As a result of this review the provincial government emerged with a strategy to reduce the number of regulations and delays faced by applicants and current license holders. Other key pillars in the emerging strategy included drawing more attention to the need for safe and responsible liquor service; increasing local government involvement in liquor licensing decisions and to promote tourism in British Columbia.

Under new LCLB regulations that came into effect December 2<sup>nd</sup>, 2002 several significant changes have been made to Liquor Control and Licensing Regulations in

British Columbia. Furthermore, the LCLB also lifted its moratorium on new licensee retail stores (cold beer and wine stores) until November 29<sup>th</sup>, 2002. The product range at the LRS stores was also broadened to include spirits. The LCLB has not created a mechanism for local government input into the LRS development process.

The significant changes are as follows:

Licensing Classes and Hours of Operation:

- The 7 existing liquor-licensing classes were reduced to two. Liquor Primary and Food Primary.
- Food Primary establishments with a seating capacity of 50+ are entitled to apply for a lounge endorsement (the lesser of 40 persons or 20% of capacity).
- Establishments holding either type of license may increase their person capacity to the maximum occupant load for the building with approval from the LCLB. Local governments have input in the process only in so far as if the building size is increased to accommodate more capacity.
- Liquor primary holders can potentially provide service from 9am to 4am, 7 days per week.
- Food primary license holders are also able to extend their hours (9am-4am) provided food service remains the primary function during the extended hours with local government approval.

Role of Local Government:

- Local governments are entitled to send a recommendation to the LCLB for all new liquor primary operations (this recommendation will be based upon a variety of local interest and factors). Local governments are also required to gather public input on new applications.
- Local governments also have input on the extension of business hours for both types of licenses as well in cases where the physical size of a liquor primary licensed establishment is proposed to change.
- Food primary licenses will only require local government review should they be seeking an extension of operating hours or approval for dancing.

Other:

- Food and liquor primary establishments are no longer prohibited from serving free liquor.

Table 3.1

Change	Description	Role of Local Government
License Classes	-Reduction in number of license classes from seven to two: liquor primary and food primary	-Not Applicable
Lounges	-A food primary establishment (restaurant) with a seating capacity of at least 50 persons may open a lounge, the size of which is limited to the lesser of 40 persons or 20% of the establishment's person capacity	-None
Person Capacity	-A liquor primary establishment may automatically increase its person capacity to its maximum occupant load (Applies only to licenses existing prior to December 2, 2002)	-None
Hours	-Liquor/food primary license holders may apply to extend hours of liquor service to 4:00am	-Local government consent is required
Licensing Processes	-Two licensing process: one for liquor primary and one for food primary	-Local government has effective veto over all liquor primary applications -Local government has effective veto over food primary requests for extended liquor service hours, and patron participant entertainment
Licensee Retail Stores	-Moratorium on new LRS was lifted temporarily	-Local government involved only where rezoning is required
Other	-Licensed establishments no longer prohibited from serving free liquor -Two pieces of identification required for patrons	-None

#### 4.0 Planning and Development Services Department

The Planning and Development Services Department is recommending several courses of action to address the changes to Liquor Control and Licensing Regulations. Although Council has a fairly broad range of tools with which to address the province's change to liquor regulations, the Planning and Development Services Department feels that there is an immediate need to address issues of zoning. It is recommended that Zoning Bylaw No.8000 be amended to differentiate between various types of liquor primary businesses. In addition, it is recommended that a differentiation be made between liquor primary and food primary establishments.

##### Liquor Primary

The Planning and Development Services Department is proposing to create two subclasses relating to size under the heading of Liquor Primary Establishments. A Liquor Primary, major class and a Liquor Primary, minor class. The distinction between the two shall be made as follows: A Liquor Primary, major establishment shall be any Liquor Primary licensed establishment with a person capacity greater than 100, and a Liquor Primary, minor establishment shall be any Liquor Primary licensed establishment with a person capacity of 100 or less.

To increase Council's control over the location of Liquor Primary, major establishments, the Planning and Development Services Department is suggesting that a rezoning be required to the Liquor Primary (LP) version of the parent zone for all new Liquor Primary, major establishments. This approach would be similar to that taken by Council to exert control over secondary suites. Liquor Primary, minor type establishments such as Neighbourhood Pubs would not require an LP rezoning. The "off-sales" of alcoholic beverages will be permitted under both the Liquor Primary, minor and major designations; however, this does not include retail liquor sales.

##### Food Primary

Food Primary establishments will become a permitted use in all zones where Eating and Drinking Establishments, major/minor previously existed. Food primary establishments may hold a Food Primary Liquor License.

##### Retail Liquor Sales

Wine/Beer Stores are currently defined in Zoning Bylaw No.8000; however, the definition does not include the sale of hard liquors. During the spring of 2002, the LCLB changed its regulations to allow the sale of hard liquor from Licensee Retail Stores (LRS). The Liquor Control and Licensing Branch has left local governments few tools other than zoning to control the location of new retail liquor sales establishments. Licensee Retail Stores may now carry the same range of product as Provincially run Liquor Distribution branches. In Zoning Bylaw No.8000 Provincially run liquor stores fall under **retail sales, general**. Deregulation by the Provincial Government has left little means through which to differentiate between the two. It is therefore suggested that Zoning Bylaw No.8000 be amended to recognise both Licensee Retail Stores and Provincially operated liquor distribution branches (Including VQA Speciality Wine Stores) in one category (Retail Liquor Sales).

The Planning and Development Services Department recommends that further control over the retail sale of liquor be excersized through amendments to the zoning bylaw. The Department suggests the same course of action as recommended for the control of Liquor Primary Establishments, major: Increasing Council control by requiring a rezoning to a **retail liquor sales** (“**RLS**”) designation for any new Licensee Retail Store development and any new Provincial liquor sales branch. Wineries and Cideries will not require rezoning and will continue to be allowed to provide retail sales on site.

### Summary

The amendments to Zoning Bylaw No.8000 will affect Commercial, Public/Institutional and Comprehensive Development Zones. This will provide Council with a broad range of input into the creation of new liquor primary licensed establishments. Amendments to the Public/Institutional zones are incorporated to provide for Council input on developments such a golf courses and other recreational facilities that may hold a liquor primary license and have person capacities greater than 100. Similarly, amendments to the CD5 zone are incorporated to provide for Council input on liquor licensing for the development of Multi-Purpose facilities such as Skyreach Place. Staff is also recommending that private clubs as defined in Zoning Bylaw No. 8000, holding liquor primary licenses not be subject to rezoning for the LP designation.

This report addresses liquor licenses that are permanent in nature; however, does not address Special Occasion Licenses (SOL's) that are issued by the province for public/private events that are temporary in nature. Staff feels that further regulation of SOL's is unnecessary.

Staff has attached a list of properties to this report that will need to be rezoned to maintain consistency with the approach proposed in the above paragraphs. These rezonings will be necessary to address the legal non-conformities that the adoption of these proposed zoning bylaw amendments would create. Existing **liquor primary, major** and **retail liquor sales** establishments will require rezoning to the “**LP**” and/or “**LRS**” version of their parent zone. Staff has also attached a list of legally non-conforming liquor primary establishments that are not addressed in the scope of the proposed text amendments. Staff proposes that these legal non-conformities remain as such.

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Andrew Bruce  
Current Planning Manager

Approved for inclusion

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R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning & Development Services

RWS  
Attach.



## SCHEDULE A – AMENDMENTS TO CITY OF KELOWNA ZONING BYLAW NO. 8000

### 1.0 Section 2 – Interpretation

The following amendments to Section 2 of Zoning Bylaw No. 8000 are proposed to correct inconsistencies, clarify interpretations and to add definitions that have been omitted to date.

Section No.	Amendment	Reason
2.3.3	Delete the following use and associated definition: <b>Eating and Drinking Establishment, Major</b>	Conformity with changes to provincial liquor control regulations.
2.3.3	Delete the following use and associated definition: <b>Eating and Drinking Establishment, Minor</b>	Conformity with changes to provincial liquor control regulations.
2.3.3	Add the following definition: “ <b>Liquor Primary Establishment, major</b> means development where alcoholic beverages are offered for sale to the public from establishments which are characterised by one or more of the provision of dancing or cabaret entertainment; and facilities primarily intended for the provision and consumption of alcoholic beverages which have a person capacity of more than 100. Typical uses include but are not limited to beverage rooms, cocktail lounge, cabarets, nightclubs. Must hold a Liquor Primary License.” Off-sales of alcoholic beverages are a permitted ancillary use.	Conformity with changes to provincial liquor control regulations.
2.3.3	Add the following definition: “ <b>Liquor Primary Establishment, minor</b> means development where food and alcoholic beverages are offered for sale to the public, for sale within the premises or off the site. Typical uses include neighbourhood pubs. The person capacity of such establishments will be 100 or less. Must hold a Liquor Primary License. ” Off-sales of alcoholic beverages are a permitted ancillary use.	Conformity with changes to provincial liquor control regulations
2.3.3	Add the following definition: “ <b>Food Primary Establishment</b> , means development where prepared food and beverages are offered for sale to the public. Typical uses include but are not limited to licensed restaurants, theatre restaurants, banquet facilities, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands and take-out restaurants. This does <u>not</u> include drive-through food services. These establishments may be holders of a Food Primary Liquor License.”	Conformity with changes to provincial liquor control regulations.
2.3.3	Replace existing definition of “Private Club” with the following: “ <b>Private Club</b> means a	Conformity with changes to provincial liquor control

	development used for the meeting, social, or recreational activities of members of a philanthropic, social service, non-profit, athletic, business or fraternal organisation. Private clubs may include rooms for eating, drinking and general assembly and may hold a Liquor Primary license.	regulations.
2.3.3	Replace existing definition of “ <b>RETAIL STORES, CONVENIENCE</b> ” with “ <b>RETAIL STORES, CONVENIENCE</b> means development used for the retail sale of those goods required by area residents or employees on a day to day basis, from business premises which do not exceed 235m2 in <b>gross floor area</b> . Typical uses include but are not limited to small food stores, drug stores, florists and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware, or printed matter, or the rental of videos. In the case of the W2 <b>zone</b> , this includes items normally required by those people using <b>marina</b> facilities. This <b>use</b> excludes the retail sale of beer/wine/spirits by a Licensee Retail Store.”	Conformity with changes to provincial liquor control regulations.
2.3.3	Delete the following definition: <b>Wine/Beer Store</b>	Conformity with changes to provincial liquor control regulations.
2.3.3	Add the following definition: “ <b>RETAIL LIQUOR SALES ESTABLISHMENT (RLS)</b> means development used for the retail sale of liquor, wine, beer and other such alcoholic beverages. Typical uses include Provincially operated Liquor retail stores, Licensee Retail Stores (LRS), and VQA Wine retail stores. This excludes the retail sale of wine/cider by wineries/cideries at the site where they are produced.”	Conformity with changes to provincial liquor control regulations.



## **2.0 Section 14 – Commercial Zones**

### **14.2 C2 – Neighbourhood Commercial**

Delete section 14.2.2(c) and renumber the subsequent sections:

Add the following section as 14.2.2(d):

14.2.2(d) **food primary establishment**

Add the following section as 14.2.2(f) and renumber the subsequent sections:

14.2.2(f) **liquor primary establishment, minor**

Add the following section as 14.2.3(f):

14.2.3(f) **retail liquor sales establishment (C2RLS, only)**

Add the following Section as 14.2.6(g)

14.2.6(g) An “**RLS**” notation shown on Schedule “A” as part of the identified zone classification indicates that a **Retail Liquor Sales Establishment** in the form of a government operated liquor retail establishment or licensee retail store liquor sales establishment is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. An “**RLS**” zoning classification on a property shall be established by rezoning the subject property to the “**RLS**” version of the parent **zone**.

### **14.3 C3 – Community Commercial**

Delete Section 14.3.2(i)(ee) and renumber the subsequent sections:

Add the following section as 14.3.2(j):

14.3.2(j) **food primary establishment**

Add the following section as 14.3.2(p) and renumber the subsequent sections:

14.3.2(p) **liquor primary establishment, minor**

Add the following section as 14.3.2(ff)”

14.3.2(ff) **retail liquor sales establishment (C3RLS, only)**

Add the following Section as 14.3.6(e)

14.3.6(e) An “**RLS**” notation shown on Schedule “A” as part of the identified zone classification indicates that a **Retail Liquor Sales Establishment** in the form of a government operated liquor retail establishment or licensee retail store liquor sales establishment is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. An “**RLS**” zoning classification on a

property shall be established by rezoning the subject property to the “**RLS**” version of the parent **zone**.

#### **14.4 C4 – Town Centre Commercial**

Delete Sections 14.4.2(i)(j)(hh) and renumber the subsequent sections.

Add the following section as 14.4.2(k):

14.4.2(k) **food primary establishment**

Add the following section as 14.4.2(r) and renumber the subsequent sections:

14.4.2(r) **liquor primary establishment, major (C4LP, only)**

Add the following section as 14.4.2(s) and renumber the subsequent sections:

14.4.2(s) **liquor primary establishment, minor**

Add the following section as 14.4.2(ii):

14.4.2(ii) **retail liquor sales establishment (C4RLS only)**

Add the following section as 14.4.6 (e)

14.4.6(e) An “LP” notation shown on Schedule “A” as part of the identified **zone** classification indicates that a **Liquor Primary, major** establishment in the form of facilities primarily intended for the provision and consumption of alcoholic beverages which have a seating capacity of more than 100 persons is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. An “LP” zoning classification on a property shall be established by rezoning the subject property to the “LP” version of the parent zone.

Add the following Section as 14.4.6(f)

14.4.6(f) An “**RLS**” notation shown on Schedule “A” as part of the identified zone classification indicates that a **Retail Liquor Sales Establishment** in the form of a government operated liquor retail establishment or licensee retail store liquor sales establishment is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. An “**RLS**” zoning classification on a property shall be established by rezoning the subject property to the “**RLS**” version of the parent **zone**.

#### **14.6 C6 – Regional Commercial**

Delete Sections 14.6.2(d)(e)(w) and renumber the subsequent sections:

Add the following section as 14.6.2(f):

14.6.2(f) **food primary establishment**

Add the following section as 14.6.2(k) and renumber the subsequent sections:

14.6.2(k)        **liquor primary establishment, major (C6LP only)**

Add the following section as 14.6.2(l) and renumber the subsequent sections:

14.6.2(l)        **liquor primary establishment, minor**

Add the following section as 14.6.2(x):

14.6.2(x)        **retail liquor sales establishment (C6RLS only)**

Add the following section as 14.4.6 (e)

14.6.6(e)        An “LP” notation shown on Schedule “A” as part of the identified **zone** classification indicates that a **Liquor Primary, major** establishment in the form of facilities primarily intended for the provision and consumption of alcoholic beverages which have a seating capacity of more than 100 persons is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. An “LP” zoning classification on a property shall be established by rezoning the subject property to the “LP” version of the parent zone.

Add the following Section as 14.6.6(f)

14.6.6(f)        An “**RLS**” notation shown on Schedule “A” as part of the identified zone classification indicates that a **Retail Liquor Sales Establishment** in the form of a government operated liquor retail establishment or licensee retail store liquor sales establishment is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. An “**RLS**” zoning classification on a property shall be established by rezoning the subject property to the “**RLS**” version of the parent **zone**.

## **14.7    C7 – Central Business Commercial**

Delete Sections 14.7.2(j)(k)(kk) and renumber the subsequent sections.

Add the following section as 14.7.2(l):

14.7.2(l)        **food primary establishment, major**

Add the following section as 14.7.2(t) and renumber the subsequent sections:

14.7.2(t)        **liquor primary establishment, major (C7LP only)**

Add the following section as 14.7.2(u) and renumber the subsequent sections:

14.7.2(u)        **liquor primary establishment, minor**

Add the following section as 14.7.2(ll):

14.7.2(ll)       **retail liquor sales establishment (C7RLS only)**

Add the following section as 14.4.6 (d)

- 14.7.6(d) An “LP” notation shown on Schedule “A” as part of the identified **zone** classification indicates that a **Liquor Primary, major** establishment in the form of facilities primarily intended for the provision and consumption of alcoholic beverages which have a seating capacity of more than 100 persons is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. An “LP” zoning classification on a property shall be established by rezoning the subject property to the “LP” version of the parent zone.

Add the following Section as 14.7.6(e)

- 14.7.6(e) An “**RLS**” notation shown on Schedule “A” as part of the identified zone classification indicates that a **Retail Liquor Sales Establishment** in the form of a government operated liquor retail establishment or licensee retail store liquor sales establishment is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. An “**RLS**” zoning classification on a property shall be established by rezoning the subject property to the “**RLS**” version of the parent **zone**.

## 14.8 C8 – Convention Hotel Commercial

Delete Sections 14.8.2(e)(f)(l) and renumber the subsequent sections:

Add the following section as 14.8.2(e):

- 14.8.2(e) **food primary establishment**

Add the following section as 14.8.2(g) and renumber the subsequent sections:

- 14.8.2(g) **liquor primary establishment, major (C8LP only)**

Add the following section as 14.8.2(h) and renumber the subsequent sections:

- 14.8.2(h) **liquor primary establishment, minor**

Add the following section as 14.8.2 (m):

- 14.8.2(m) **retail liquor sales establishment (C8RLS only)**

Add the following section as 14.4.6 (d)

- 14.8.6(d) An “LP” notation shown on Schedule “A” as part of the identified **zone** classification indicates that a **Liquor Primary, major** establishment in the form of facilities primarily intended for the provision and consumption of alcoholic beverages which have a seating capacity of more than 100 persons is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. An “LP” zoning classification on a property shall be established by rezoning the subject property to the “LP” version of the parent zone.

Add the following Section as 14.4.6(e)

- 14.8.6(e) An “**RLS**” notation shown on Schedule “A” as part of the identified zone classification indicates that a **Retail Liquor Sales Establishment** in the form of a government operated liquor retail establishment or licensee retail store liquor sales establishment is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. An “**RLS**” zoning classification on a property shall be established by rezoning the subject property to the “**RLS**” version of the parent **zone**.

#### 14.9 C9 – Tourist Commercial

Delete Sections 14.9.3(e)(f)(h) and renumber the subsequent sections:

Add the following section as 14.9.3(e):

- 14.9.3(e) **food primary establishment**

Add the following section as 14.9.3(g) and renumber the subsequent sections:

- 14.9.3(g) **liquor primary establishment, major (C9LP only)**

Add the following section as 14.9.3(h) and renumber the subsequent sections:

- 14.9.3(h) **liquor primary establishment, minor**

Add the following section as 14.9.3(l) and renumber the subsequent sections:

- 14.9.3(l) **retail liquor sales establishment (C9RLS only)**

Add the following section as 14.9.6 (e)

- 14.9.6(e) An “LP” notation shown on Schedules “A” as part of the identified **zone** classification indicates that a **Liquor Primary, major** establishment in the form of facilities primarily intended for the provision and consumption of alcoholic beverages which have a seating capacity of more than 100 persons is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. An “LP” zoning classification on a property shall be established by rezoning the subject property to the “LP” version of the parent zone.

Add the following Section as 14.4.6(f)

- 14.4.9(f) An “**RLS**” notation shown on Schedule “A” as part of the identified zone classification indicates that a **Retail Liquor Sales Establishment** in the form of a government operated liquor retail establishment or licensee retail store liquor sales establishment is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. An “**RLS**” zoning classification on a property shall be established by rezoning the subject property to the “**RLS**” version of the parent **zone**.

#### **14.10 C10 – Service Commercial**

Delete Section 14.9.3(p) and renumber the following sections.

Add the following section as 14.9.3(t) and renumber the subsequent sections:

14.9.3(t)        **food primary establishment**

Add the following section as 14.9.3(z) and renumber the subsequent sections:

14.9.3(z)        **liquor primary establishment, minor**

### **3.0 Section 16 – Public and Institutional Zones**

#### **16.1 P1 – Major Institutional**

Delete Section 16.1.3 (b) and replace with the following:

16.1.3(b)        **food primary establishment**

Add the following section as 16.1.3(e) and renumber the subsequent sections:

16.1.3(e)        **liquor primary establishment, major (P1LP only)**

Add the following section as 16.1.3(f) and renumber the subsequent sections:

16.1.3(f)        **liquor primary establishment, minor**

#### **16.3 P3 – Parks and Open Space**

Delete Section 16.3.3 (c) and replace with the following:

16.3.3(c)        **food primary establishment**

Add the following section as 16.3.3(d) and renumber the subsequent sections:

16.3.3(d)        **liquor primary establishment, major (P3LP only)**

Add the following section as 16.3.3(e) and renumber the subsequent sections:

16.3.3(e)        **liquor primary establishment, minor**

#### **16.5 Municipal District Park**

Delete Sections 16.5.3 (d)(e) and replace with the following:

16.5.3(d)        **food primary establishment**

Add the following section as 16.5.3(h) and renumber the subsequent sections:

16.5.3(h) **liquor primary establishment, major (P5LP only)**

Add the following section as 16.5.3(i) and renumber the subsequent sections:

16.5.3(i) **liquor primary establishment, minor**

#### **4.0 Schedule B – Comprehensive Development Zones**

##### **CD5 – Multi-Purpose Facility**

Add the following section as 1.2 (k) and renumber subsequent sections:

1.2(k) **liquor primary establishment, major (P5LP only)**

Add the following section as 1.2 (l) and renumber subsequent sections:

1.2(l) **liquor primary establishment, minor**

## SCHEDULE B – AMENDMENTS TO CITY OF KELOWNA ZONING BYLAW NO. 8000

**Table 1: Required RLS Designation Rezoning**

The properties listed in the table below will become non-conforming with regards to zoning designation in the process of amending zoning bylaw to Zoning Bylaw No. 8000 in response to the Provincial Governments changes to regulation. The following table lists the legal description, the street address, the current incorrect zoning and the appropriate zoning designation as per Zoning Bylaw No. 8000.

<b>Licensee Retail Store</b>	<b>Current Zone</b>	<b>Proposed Zone</b>	<b>Address(Street/Legal)</b>
Best Western Inn Kelowna	<b>C9</b>	<b>C9RLS</b>	2402 Hwy. 97 North Lot A, DL. 125, Plan19786, ODYD
Brandt's Creek Neighbourhood Pub	<b>C3</b>	<b>C3RLS</b>	435 Glenmore Road, Lot B, Sec. 32, Twp. 26, Plan KAP54790, ODYD
Coast Capri Hotel	<b>C4</b>	<b>C4RLS</b>	1171 Harvey Avenue Lot B, DL 137, Plan 64836, ODYD
Creekside Pub Restaurant & Cold Beer & Wine Store	<b>C2</b>	<b>C2RLS</b>	3929 Lakeshore Road Lot A, Sec.6, Twp.26, Plan 36411, ODYD
Illichmann's Meats, Sausages and Gourmet Foods Ltd.	<b>C4</b>	<b>C4LRS</b>	1937 Gordon Drive Lot 1, DL.137, Plan 35438, ODYD
McCulloch Station Pub	<b>C2</b>	<b>C2RLS</b>	2789 KLO Road Lot A, Sec. 9 & 10, Twp.26, Plan 43297, ODYD
Packing House (BC Wine Museum)	<b>C2</b>	<b>C2RLS</b>	663 Finns Road Lot 1, Sec.34, Twp.26, Plan 42743, ODYD
Pheasant and Quail Pub	<b>C4</b>	<b>C4RLS</b>	3110 Lakeshore Road Lot C, DL.14, Plan 22527, ODYD
Ramada Lodge Hotel	<b>C9</b>	<b>C9RLS</b>	2170 Harvey Avenue Lot A, DL.127, Plan 42733, ODYD
Royal Anne Hotel	<b>C7</b>	<b>C7RLS</b>	348 Bernard Avenue Lot 3, Blk.17, DL.139, Plan 462, ODYD
Zodiac Neighbourhood Pub	<b>C4</b>	<b>C4RLS</b>	155 Rutland Road South Lot 3, Sec.23,Twp.26, Plan 2221, ODYD
Mission Park BC Liquor Store	<b>C4</b>	<b>C4RLS</b>	41-3155 Lakeshore Road Lot 2, DL 14&135, Plan KAP54407, ODYD
Bernard BC Liquor Store	<b>C7</b>	<b>C7RLS</b>	575 Bernard Avenue Lot B, DL.139, Plan 14322, ODYD



Gordon/Harvey BC Liquor Store	<b>C4</b>	<b>C4RLS</b>	100-1740 Gordon Drive Lot A, DL.138, Plan KAP55098, ODYD
Orchard Park BC Liquor Store	<b>C6</b>	<b>C6RLS</b>	109-1835 Dilworth Drive Lot 4, DL. 127, Plan KAP59534, ODYD
Willow Park BC Liquor Store	<b>C4</b>	<b>C4RLS</b>	14-590 Hwy.33 West Lot B, Twp.26, Plan 30302, ODYD

**Table 2: Required LP Designation Rezoning**

The properties listed in the table below will become non-conforming with regards to zoning designation in the process of amending zoning bylaw to Zoning Bylaw No. 8000 in response to the Provincial Governments changes to regulation. The following table lists the legal description, the street address, the current incorrect zoning and the appropriate zoning designation as per Zoning Bylaw No. 8000.

<b>Liquor Primary, major Establishments</b>	<b>Current Zone</b>	<b>Proposed Zone</b>	<b>Address (Street/Legal)</b>
Apple Bowl Stadium	<b>P1</b>	<b>P1LP</b>	1557 Burtch Road, Lot 2, Plan 32159, ODYD
Best Western Inn Kelowna	<b>C9</b>	<b>C9LP</b>	2402 Hwy. 97 North Lot A, DL. 125, Plan19786, ODYD
Brandt's Creek Neighbourhood Pub	<b>C3</b>	<b>C3LP</b>	435 Glenmore Road, Lot B, Sec. 32, Twp. 26, Plan KAP54790, ODYD
Carlos O'Bryan	<b>C7</b>	<b>C7LP</b>	262 Bernard Avenue, Lot B, Sec. 32, Twp. 26,k Plan KAP54790, ODYD
Cheetah's	<b>C7</b>	<b>C7LP</b>	220 Lawrence Avenue, Lot 9, Block 13, D.L. 139, Plan 462, ODYD
Coast Capri Hotel	<b>C4</b>	<b>C4LP</b>	1171 Harvey Avenue Lot B, DL 137, Plan 64836, ODYD
Courtplex	<b>C4</b>	<b>C4LP</b>	3-1745 Spall Road, Lot 2, D.L. 140, Plan 24969, ODYD
Doc Willoughby's Downtown Grill	<b>C7</b>	<b>C7LP</b>	353 Bernard Avenue, Lot 9, Block 14, D.L. 139, Plan 462, ODYD
Gotcha	<b>C7</b>	<b>C7LP</b>	238 Leon Ave, Lot 7, Block 10, D.L. 139, Plan 462, ODYD
Rose's Pub	<b>C8</b>	<b>C8LP</b>	1310 Water Street, Lots A & B, Plan KAP47378, ODYD
Harvest Golf Club	<b>P3</b>	<b>P3LP</b>	2725 KLO Road Lot A, Sec. 9 & 10, Twp.26, Plan KAP45934, ODYD
Hotel Eldorado	<b>C9</b>	<b>C9LP</b>	500 Cook Road,

			Lot 1, Sec. 1 & 12, Plan KAP67232, ODYD
Kelowna Golf and Country Club	<b>P3</b>	<b>P3LP</b>	1297 Glenmore Drive Lot A, Sec.29, Twp.26, Plan 23125 Except Plan KAP60640, ODYD
Manteo Resort Hotel	<b>C9</b>	<b>C9LP</b>	3766 Lakeshore Road Lot A, Sec.6, Twp.26, DL.134, Plan KAP56428 Except Plan KAS1776, ODYD
McCulloch Orchard Greens Golf Club	<b>P3</b>	<b>P3LP</b>	2777 KLO Road Lot A, Sec.9&10, Twp.26, Plan 43297, ODYD
Michaelbrook Ranch Golf Club	<b>P3</b>	<b>P3LP</b>	1085 Lexington Drive Lot 1 Sec.6, Twp. 26, DL.168, Plan KAP49584
Mission Creek Golf and Country Club	<b>P3</b>	<b>P3LP</b>	1959 KLO Road Lot A, Sec.8, Twp. 26, DL. 131, Plan 35770, ODYD
Pheasant and Quail Pub	<b>C4</b>	<b>C4LP</b>	3110 Lakeshore Road Lot C, DL.14, Plan 22527, ODYD
R.J. McMasters Pub	<b>C6</b>	<b>C6LP</b>	1992 Dilworth Drive Lot 1, DL 127, Plan KAP47930, ODYD
Ramada Lodge Hotel	<b>C9</b>	<b>C9LP</b>	2170 Harvey Avenue Lot A, DL.127, Plan 42733, ODYD
Royal Anne Hotel	<b>C7</b>	<b>C7LP</b>	348 Bernard Avenue Lot 3, Blk.17, DL.139, Plan 462, ODYD
Skyreach Place	<b>CD5</b>	<b>CD5LP</b>	1223 Water Street Lot 1, DL.139, Plan KAP60698, ODYD
Snooty Fox Nite Club	<b>C7</b>	<b>C7LP</b>	540 Leon Avenue Lot A, DL.139, Plan 16322, ODYD
Splash's Nite Club	<b>C7</b>	<b>C7LP</b>	275 Leon Avenue Lot 1, DL.139, Plan 32713, ODYD
Willow Inn Hotel	<b>C7</b>	<b>C7LP</b>	235 Queensway Avenue Lot A, DL.139, Plan 2180, ODYD
Yamas Neighbourhood Pub	<b>C7</b>	<b>C7LP</b>	1630-1654 Ellis Street Lot 1, Plan 462, BLK 8, DL 139 Lot 2, Plan 462, BLK 8, DL 139
Zodiac Neighbourhood Pub	<b>C4</b>	<b>C4LP</b>	155 Rutland Road South Lot 3, Sec.23,Twp.26, Plan 2221, ODYD

**Table 3: Existing Legal Non-Conformities**

The properties listed in the table below are legally non-conforming uses with regards to Zoning Bylaw No. 8000. They will remain legal non-conformities until such time as the owners wish to apply to either rezone or amend the zone in which they are located. This would be triggered by a request to expand or add uses such as a Licensee Retail Store.

<b>Existing Legal-Non Conformities</b>	<b>Current Zone</b>	<b>Address (Street/Legal)</b>
Creekside Pub Restaurant & Cold Beer and Wine Store	<b>C2</b>	3929 Lakeshore Road Lot A, Sec.6, Twp.26, Plan 36411, ODYD
Flashback's	<b>C10</b>	1268 Ellis Street, Lot 1, D.L. 139, Plan 660, ODYD
Gold's Gym Raquet Club	<b>C10</b>	1574 Harvey Avenue, Lot 3, Sec. 20, Twp. 26, Plan 32159, ODYD
Kelowna Elk's Club	<b>P2</b>	2040 Springfield Road, Lot A, D.L. 129, Plan 30261, ODYD
McCulloch Station Pub	<b>C2</b>	2789 KLO Road Lot A, Sec. 9 & 10, Twp.26, Plan 43297, ODYD
OK Corral Cabaret	<b>C10</b>	1978 Kirschner Road
Okanagan Golf Club	<b>CD6</b>	3200 Via Centrale
Okanagan University College	<b>P2</b>	3333 College Way
Orchard City Bowl and Billiards	<b>C10</b>	2789 Hwy 97 North Lot 60, DL.143, Plan 426 Except Plan M327 10792 A12969 H18014 H18015, ODYD
Packing House	<b>C2</b>	663 Finns Road Lot 1, Sec.34, Twp.26, Plan 42743, ODYD
Royal Canadian Legion, Branch No.26	<b>P2</b>	1380 Bertram Street Lot 1, DL 139, Plan 22678, ODYD