

# CITY OF KELOWNA

## BYLAW NO. 8960

### Text Amendment No. 02-0007

### Amendments related to changes in Provincial Liquor Control and Licensing Policies

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A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by:

(a) Amending the **Table of Contents** by:

(i) Amending **Section 14: Commercial Zones** as follows:

(A) Replacing Line 14.2 with the following:

<b>"C2 - Neighbourhood Commercial</b>	<b>C2-1</b>
<b>C2rls – Neighbourhood Commercial (Retail Liquor Sales)</b>	<b>C2rls-1"</b>

(B) Replacing Line 14.3 with the following:

<b>"C3 - Community Commercial</b>	<b>C3-1</b>
<b>C3lp – Community Commercial (Liquor Primary)</b>	<b>C3lp-1</b>
<b>C3lp/rls – Community Commercial (Liquor Primary/Retail Liquor Sales)</b>	<b>C3lp/rls-1"</b>

(C) Replacing Line 14.4 with the following:

<b>"C4 – Town Centre Commercial</b>	<b>C4-1</b>
<b>C4rls – Town Centre Commercial (Retail Liquor Sales)</b>	<b>C4rls-1</b>
<b>C4lp – Town Centre Commercial (Liquor Primary)</b>	<b>C4lp-1</b>
<b>C4lp/rls – Town Centre Commercial (Liquor Primary/Retail Liquor Sales)</b>	<b>C4lp/rls-1"</b>

(D) Replacing Line 14.6 with the following:

<b>"C6 – Regional Commercial</b>	<b>C6-1</b>
<b>C6rls – Regional Commercial (Retail Liquor Sales)</b>	<b>C6rls-1</b>
<b>C6lp – Regional Commercial (Liquor Primary)</b>	<b>C6lp-1"</b>

(E) Replacing Line 14.7 with the following:

<b>"C7 – Central Business Commercial</b>	<b>C7-1</b>
<b>C7rls – Central Business Commercial (Retail Liquor Sales)</b>	<b>C7rls-1</b>
<b>C7lp – Central Business Commercial (Liquor Primary)</b>	<b>C7lp-1</b>
<b>C7lp/rls – Central Business Commercial (Liquor Primary/Retail Liquor Sales)</b>	<b>C7lp/rls-1"</b>

(F) Replacing Line 14.8 with the following:

<b>"C8 – Convention Hotel Commercial</b>	<b>C8-1</b>
<b>C8rls – Convention Hotel Commercial (Retail Liquor Sales)</b>	<b>C8rls-1</b>
<b>C8lp – Convention Hotel Commercial (Liquor Primary)</b>	<b>C8lp-1"</b>

(G) Replacing Line 14.9 with the following:

<b>"C9 – Tourist Commercial</b>	<b>C9-1</b>
<b>C9rls – Tourist Commercial (Retail Liquor Sales)</b>	<b>C9rls-1</b>
<b>C9lp – Tourist Commercial (Liquor Primary)</b>	<b>C9lp-1</b>
<b>C9lp/rls – Tourist Commercial (Liquor Primary/Retail Liquor Sales)</b>	<b>C9lp/rls-1"</b>

(ii) Amending **Section 16: Public & Institutional Zones** as follows:

(A) Replacing Line 16.1 with the following:

<b>"P1 – Major Institutional</b>	<b>P1-1</b>
<b>P1lp – Major Institutional (Liquor Primary)</b>	<b>P1lp-1"</b>

(B) Replacing Line 16.3 with the following:

<b>"P3 – Parks and Open Space</b>	<b>P3-1</b>
<b>P3lp – Parks and Open Space (Liquor Primary)</b>	<b>P3lp-1"</b>

(C) Replacing Line 16.5 with the following:

<b>"P5 – Municipal District Park</b>	<b>P5-1</b>
<b>P5lp – Municipal District Park (Liquor Primary)</b>	<b>P5lp-1"</b>

(b) Amending **Section 1 – General Administration** by:

(i) Amending paragraph 1.3.1 of **Subsection 1.3 Zoning Map** as follows:

(A) Deleting the line C2 under the heading **Commercial Zones** and replacing it with the following:

**"C2 - Neighbourhood Commercial/C2rls – Neighbourhood Commercial (Retail Liquor Sales)"**

(B) Deleting the line C3 under the heading **Commercial Zones** and replacing it with the following:

**"C3 - Community Commercial/C3lp – Community Commercial (Liquor Primary)/C3lp/rls – Community Commercial (Liquor Primary/Retail Liquor Sales)"**

(C) Deleting the line C4 under the heading **Commercial Zones** and replacing it with the following:

**"C4 – Town Centre Commercial/C4rls – Town Centre Commercial (Retail Liquor Sales)/C4lp – Town Centre Commercial (Liquor Primary)/C4lp/rls – Town Centre Commercial (Liquor Primary/Retail Liquor Sales)"**

- (D) Deleting the line C6 under the heading **Commercial Zones** and replacing it with the following:

**“C6 - Regional Commercial/C6rls – Regional Commercial (Retail Liquor Sales)/C6lp – Regional Commercial (Liquor Primary)”**

- (E) Deleting the line C7 under the heading **Commercial Zones** and replacing it with the following:

**“C7 - Central Business Commercial/C7rls – Central Business Commercial (Retail Liquor Sales)/C7lp – Central Business Commercial (Liquor Primary)/ C7lp/rls – Central Business Commercial (Liquor Primary/Retail Liquor Sales)”**

- (F) Deleting the line C8 under the heading **Commercial Zones** and replacing it with the following:

**“C8 - Convention Hotel Commercial/C8lp – Convention Hotel Commercial (Liquor Primary)”**

- (G) Deleting the line C9 under the heading **Commercial Zones** and replacing it with the following:

**“C9 - Tourist Commercial/ C9rls – Tourist Commercial (Retail Liquor Sales)/C9lp – Tourist Commercial (Liquor Primary)/ C9lp/rls – Tourist Commercial (Liquor Primary/Retail Liquor Sales)”**

- (H) Deleting the line P1 under the heading **Public and Institutional Zones** and replacing it with the following:

**“P1 – Major Institutional/P1lp – Major Institutional (Liquor Primary)”**

- (I) Deleting the line P3 under the heading **Public and Institutional Zones** and replacing it with the following:

**“P3 – Parks and Open Space/P3lp – Parks and Open Space (Liquor Primary)”**

- (J) Deleting the line P5 under the heading **Public and Institutional Zones** and replacing it with the following:

**“P5 – Municipal District Park /P5lp – Municipal District Park (Liquor Primary)”**

- (K) Deleting the line CD5 under the heading **Comprehensive Development Zones** and replacing it with the following:

**“CD5 – Multi-Purpose Facility/CD5lp – Multi-Purpose Facility (Liquor Primary)”**

- (L) Deleting the line CD6 under the heading **Comprehensive Development Zones** and replacing it with the following:

**“CD6 – Comprehensive Residential Golf Resort/CD6lp – Comprehensive Residential Golf Resort (Liquor Primary)”**

- (M) Deleting the line CD8 under the heading **Comprehensive Development Zones** and replacing it with the following:

**“CD8 – Heritage Industrial/CD8lp/rls – Heritage Industrial (Liquor Primary/Retail Liquor Sales)”**

- (N) Deleting the line CD12 under the heading **Comprehensive Development Zones** and replacing it with the following:

**“CD12 – Airport/CD12lp/rls – Airport (Liquor Primary/Retail Liquor Sales)”**

- (ii) Replacing paragraph 1.3.4 of **Subsection 1.3 Zoning Map** with the following:

“1.3.4 Schedule “A” may contain zone sub-classes as denoted by the following:

- (a) An “s” notation shown on Schedule “A” as part of the identified **zone** classification indicates that a secondary use in the form of a **secondary suite** is permitted on the properties so designated, subject to meeting the conditions of use of the **zone**. An “s” zoning classification on a property shall be established by rezoning the subject property to the “s” version of the parent **zone**.
- (b) An “h” notation shown on Schedule “A” as part of the identified **zone** classification indicates that alternative development regulations will be applied in **Hillside Areas**. An “h” zoning classification on a property shall be established by rezoning the subject property to the “h” version of the parent **zone**.
- (c) A “b” notation shown on Schedule “A” as part of the identified **zone** classification indicates that a secondary use in the form of a **Boarding or Lodging House** is permitted on the properties so designated, subject to meeting the conditions of use of the **zone**. A “b” zoning classification on a property shall be established by rezoning the subject property to the “b” version of the parent **zone**.
- (d) 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**.
- (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.”

- (iii) Delete paragraph 1.3.6 of **Subsection 1.3 Zoning Map** in its entirety.

(c) Amending **Section 2 – Interpretation** by:

- (i) Deleting the following definitions in their entirety:

**Eating and Drinking Establishment, Major**  
**Eating and Drinking Establishment, Minor**  
**Wine/Beer Store**

- (ii) Adding the following definitions in the appropriate locations:

**“FOOD PRIMARY ESTABLISHMENT**, 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. Licensed restaurants may serve any kind of liquor, even to customers who do not order food. However a full range of appetizers and main courses must be available whenever liquor is available. Restaurants may remain open 24 hours a day but may only serve liquor between 9:00 a.m. and 4:00 a.m. daily. This does not include drive-through food services. These establishments may be holders of a **Food Primary License**.

**FOOD PRIMARY LICENSE** means liquor license issued by the Province of British Columbia Liquor Control and Licensing Branch for a business in the hospitality, entertainment or beverage industry including restaurants where the service of food rather than the service of liquor is the primary focus of the business.

**LICENSEE RETAIL STORE** means an establishment licensed by the British Columbia Liquor Control and Licensing Branch to sell beer, wine, coolers, ciders, and, as of April 2, 2003, all types of packaged liquor.

**LIQUOR PRIMARY ESTABLISHMENT, MAJOR** 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.

**LIQUOR PRIMARY ESTABLISHMENT, MINOR** means development where food and alcoholic beverages are offered for sale to the public, for consumption 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.

**LIQUOR PRIMARY LICENSE** means a liquor license issued the Province of British Columbia Liquor Control and Licensing Branch for a business in the hospitality, entertainment or beverage industry including bars, pubs, nightclubs, recreation centres and stadiums, where the service of liquor is the primary focus of the business.

**RETAIL LIQUOR SALES ESTABLISHMENT (rls)** 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)**, **VQA Wine Retail Stores** and cold beer and wine stores. The stores may sell liquor and alcohol any time between the hours of 9:00 a.m. and 11:00 p.m. daily and may also sell convenience retail products. Minors are allowed in **retail liquor sales establishments** if accompanied by a parent or guardian. This use does not include the retail sale of wine/cider by wineries/cideries at the site where they are produced.

**VQA WINE RETAIL STORE** means a retail store licensed by the Province of British Columbia Liquor Control and Licensing Branch to sell only Vintners Quality Assurance (VAQ) approved wines. These stores may sell wine any time between the hours of 9:00 a.m. and 11:00 p.m. daily and may also sell **convenience retail stores** products. Minors are allowed in **VQA Wine Retail Stores**, if accompanied by a parent or guardian.”

- (iii) Replacing the definition of **PRIVATE CLUB** with the following:

”**PRIVATE CLUB** means a 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**.”

- (iv) Replacing the definition of **MOTEL** with the following:

”**MOTEL** means a **building** or group of **buildings** divided into self-contained sleeping or **dwelling** units, each with a separate exterior entrance and convenient access to on-site parking. **Motels** may include **food primary establishments, personal service establishments and liquor primary establishments, minor**.”

- (v) Replacing the definition of **RETAIL STORES, CONVENIENCE** with the following:

”**RETAIL STORES, CONVENIENCE** 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 235m<sup>2</sup> in **gross floor area**. 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 **zone**, this includes items normally required by those people using **marina** facilities. This **use** excludes the retail sale of beer/wine/spirits by a **Licensee Retail Store**.”

- (vi) Replacing the definition of **SERVICE STATIONS, MAJOR** with the following:

”**SERVICE STATIONS, MAJOR** means **development** used for the servicing, washing, or repairing of **vehicles**; and the sale of gasoline, other petroleum products, and a limited range of **vehicle** parts and accessories. Major service stations may include **food primary establishments**. Typical **uses** include truck stops and highway service stations.”

- (vii) Replacing the definition of **WINTER GARDEN** with the following:

”**WINTER GARDEN** means a **landscaped** courtyard enclosed by a structure with no internal floors, used for public and private enjoyment. Ancillary uses permitted with public plaza use are **Participant Recreation Services, Indoor Food Primary Establishments** (allowing entertainment to be provided), and **Retail Store, Convenience**.”

(d) Amending **Section 8 – Parking and Loading** by:

- (i) Replacing **Eating and Drinking Establishments, Major and Minor** in **Table 8.1 Parking Schedule** with **Food Primary Establishment, Liquor Primary Establishment, Minor** and **Liquor Primary Establishment, Major**.
- (ii) Replacing **Wine/Beer Stores** in **Table 8.1 Parking Schedule** with **Retail Liquor Sales Establishments**.
- (iii) Replacing **Eating and Drinking Establishments** in **Table 8.2 Loading Schedule** with **Food Primary Establishment, Liquor Primary Establishment, Minor** and **Liquor Primary Establishment, Major**.
- (iv) Replacing **Eating and Drinking Establishments** in **Table 8.3 Bicycle Parking Schedule** with **Food Primary Establishment, Liquor Primary Establishment, Minor** and **Liquor Primary Establishment, Major**.

(e) Amending **Section 14 – Commercial Zones** by:

- (i) Amending **Section 14.2 – C2 - Neighbourhood Commercial** as follows

(A) Replacing the title with the following:

**C2 - Neighbourhood Commercial/C2rls – Neighbourhood Commercial (Retail Liquor Sales)**

(B) Amending subsection **14.2.2 – Principal Uses** by:

- (1) Deleting **Eating and Drinking Establishment, Minor** and renumbering the following paragraphs.
- (2) Adding the following uses in the appropriate locations:

**Food primary establishment**  
**Liquor primary establishment, minor**

(C) Adding the following use to subsection **14.2.3 – Secondary Uses** in the appropriate location:

**Retail Liquor Sales Establishment (C2rls only)**

(D) Adding the following to subsection **14.2.6 – Other Regulations** and relettering the subsequent paragraphs:

“(f) **Retail Liquor Sales Establishments** shall not have a **gross floor area** of greater than 186m<sup>2</sup>.”

(ii) Amending Section **14.3 – C3 - Community Commercial** as follows

(A) Replacing the title with the following:

**C3 – Community Commercial/C3lp/rls – Community Commercial (Liquor Primary/Retail Liquor Sales)**

(B) Amending subsection **14.3.2 – Principal Uses** by:

(1) Deleting **Eating and Drinking Establishment, Minor** and **Wine/Beer Stores** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment  
Liquor primary establishment, major (C3lp/rls only)  
Liquor primary establishment, minor  
Retail Liquor Sales Establishment (C3lp/rls only)**

(C) Adding the following to subsection **14.3.6 – Other Regulations** and relettering the subsequent paragraphs:

“(d) **Retail Liquor Sales Establishments** shall not have a **gross floor area** of greater than 186m<sup>2</sup>.”

(iii) Amending Section **14.4 – C4 – Town Centre Commercial** as follows

(A) Replacing the title with the following:

**C4 – Town Centre Commercial/C4rls – Town Centre Commercial (Retail Liquor Sales)/C4lp – Town Centre Commercial (Liquor Primary)/C4lp/rls – Town Centre Commercial (Liquor Primary/Retail Liquor Sales)**

(B) Amending subsection **14.4.2 – Principal Uses** by:

(1) Deleting **Eating and Drinking Establishment, Major, Eating and Drinking Establishment, Minor** and **Wine/Beer Stores** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment  
Liquor Primary Establishment, major (C4lp and C4lp/rls only)  
Liquor primary establishment, minor  
Retail Liquor Sales Establishment (C4rls and C4lp/rls only)**

(C) Adding the following to subsection **14.4.6 – Other Regulations** and relettering the subsequent paragraphs:

“(e) **Retail Liquor Sales Establishments** shall not have a **gross floor area** of greater than 186m<sup>2</sup>.”



(iv) Amending Section **14.6 – C6 - Regional Commercial** as follows

(A) Replacing the title with the following:

**C6 - Regional Commercial/C6rls – Regional Commercial (Retail Liquor Sales)/C6lp – Regional Commercial (Liquor Primary)**

(B) Amending subsection **14.6.2 – Principal Uses** by:

(1) Deleting **Eating and Drinking Establishment, Major, Eating and Drinking Establishment, Minor** and **Wine/Beer Stores** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment  
Liquor Primary Establishment, major (C6lp only)  
Liquor primary establishment, minor  
Retail Liquor Sales Establishment (C6rls only)**

(C) Adding the following to subsection **14.6.6 – Other Regulations** and relettering the subsequent paragraphs:

“(d)**Retail Liquor Sales Establishments** shall not have a **gross floor area** of greater than 186m<sup>2</sup>.”

(v) Amending Section **14.7 – C7 – Central Business Commercial** as follows

(A) Replacing the title with the following:

**C7 - Central Business Commercial/C7rls – Central Business Commercial (Retail Liquor Sales)/C7lp – Central Business Commercial (Liquor Primary)/ C7lp/rls – Central Business Commercial (Liquor Primary/Retail Liquor Sales)**

(B) Amending subsection **14.7.2 – Principal Uses** by:

(1) Deleting **Eating and Drinking Establishment, Major, Eating and Drinking Establishment, Minor** and **Wine/Beer Stores** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment  
Liquor Primary Establishment, major (C7lp and C7lp/rls only)  
Liquor primary establishment, minor  
Retail Liquor Sales Establishment (C7rls and C7lp/rls only)**

(C) Adding the following to subsection **14.7.6 – Other Regulations** and relettering the subsequent paragraphs:

“(d)**Retail Liquor Sales Establishments** shall not have a **gross floor area** of greater than 186m<sup>2</sup>.”

(vi) Amending Section **14.8 – C8 – Convention Hotel Commercial** as follows

(A) Replacing the title with the following:

**C8 - Convention Hotel Commercial/ /C8lp – Convention Hotel Commercial (Liquor Primary)**

(B) Amending subsection **14.8.3 – Secondary Uses** by:

(1) Deleting **Eating and Drinking Establishment, Major, Eating and Drinking Establishment, Minor** and **Wine/Beer Stores** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment  
Liquor Primary Establishment, major (C8lp only)  
Liquor primary establishment, minor**

(vii) Amending Section **14.9 – C9 – Tourist Commercial** as follows

(A) Replacing the title with the following:

**C9 - Tourist Commercial/C9rls – Tourist Commercial (Retail Liquor Sales) /C9lp – Tourist Commercial (Liquor Primary)/ C9lp/rls – Tourist Commercial (Liquor Primary/Retail Liquor Sales)**

(B) Amending subsection **14.9.3 – Secondary Uses** by:

(1) Deleting **Eating and Drinking Establishment, Major, Eating and Drinking Establishment, Minor** and **Wine/Beer Stores** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment  
Liquor Primary Establishment, major (C9lp and C9lp/rls only)  
Liquor primary establishment, minor  
Retail Liquor Sales Establishment (C9rls and C9lp/rls only)**

(C) Adding the following to subsection **14.9.6 – Other Regulations** and relettering the subsequent paragraphs:

“(g) **Retail Liquor Sales Establishments** shall not have a **gross floor area** of greater than 186m<sup>2</sup>.”

(vii) Amending Section **14.10 – C10 – Service Commercial** as follows

(A) Amending subsection **14.10.3 – Secondary Uses** by:

(1) Deleting **Eating and Drinking Establishment, Minor** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment**  
**Liquor primary establishment, minor**

(f) Amending **Section 15 – Industrial Zones** by:

(i) Amending Section **15.1 – I1 – Business Industrial** as follows

(A) Amending subsection **15.1.2 – Principal Uses** by:

(1) Deleting **Eating and Drinking Establishment, Major, Eating and Drinking Establishment, Minor** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment**  
**Liquor primary establishment, minor**

(ii) Amending Section **15.2 – I2 – General Industrial** as follows

(A) Amending subsection **15.1.2 – Principal Uses** by:

(1) Deleting **Eating and Drinking Establishment, Minor** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment**  
**Liquor primary establishment, minor**

(iii) Amending Section **15.4 – I4 – Central Industrial** as follows

(A) Amending subsection **15.4.2 – Principal Uses** by:

(1) Deleting **Eating and Drinking Establishment, Major, Eating and Drinking Establishment, Minor** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment**  
**Liquor primary establishment, minor**

(g) Amending **Section 16 – Public and Institutional Zones** by:

(i) Amending **Section 16.1 – P1 – Major Institutional** as follows

(A) Replacing the title with the following:

**P1 – Major Institutional/P1lp – Major Institutional (Liquor Primary)**

(B) Amending subsection **16.1.3 – Secondary Uses** by:

(1) Deleting **Eating and Drinking Establishment, Minor** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment  
Liquor Primary Establishment, major (P1lp only)  
Liquor primary establishment, minor**

(ii) Amending **Section 16.3 – P3 – Parks and Open Space** as follows

(A) Replacing the title with the following:

**P3 – Parks and Open Space/P3lp – Parks and Open Space (Liquor Primary)**

(B) Amending subsection **16.3.3 – Secondary Uses** by:

(1) Deleting **Eating Establishment, Minor** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment  
Liquor Primary Establishment, major (P3lp only)  
Liquor primary establishment, minor**

(iii) Amending **Section 16.5 – P5 – Municipal District Park** as follows

(A) Replacing the title with the following:

**P5 – Municipal District Park /P5lp – Municipal District Park (Liquor Primary)**

(B) Amending subsection **16.5.3 – Secondary Uses** by:

(1) Deleting **Eating and Drinking Establishment, Major** and **Eating and Drinking Establishment, Minor** renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment  
Liquor Primary Establishment, major (P5lp only)  
Liquor primary establishment, minor**

(iv) Amending Section **16.7 – W2 – Intensive Water Use** as follows

(A) Amending subsection **16.7.3 – Secondary Uses** by:

(1) Deleting **Eating and Drinking Establishment, Minor** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment**  
**Liquor primary establishment, minor**

(h) Amending **Schedule B – Comprehensive Development Zones** by:

(i) Amending **CD2 – Kettle Valley Comprehensive Residential Development** as follows

(A) Amending subsection **1.2 – Principal Uses** by:

(1) Deleting **Eating and Drinking Establishment, Minor** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment**  
**Liquor primary establishment, minor**

(ii) Amending **CD3 –Comprehensive Development Three** as follows

(A) Amending subsection **1.2 - Permitted Uses** by:

(1) Deleting **Eating and Drinking Establishments, Major** and **Eating and Drinking Establishment, Minor** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment**  
**Liquor primary establishment, minor**

(iii) Amending **CD5 – Multi-Purpose Facility** as follows:

(A) Replacing the title with the following:

**CD5 – Multi-Purpose Facility /CD5lp – Multi-Purpose Facility (Liquor Primary)**

(B) Amending subsection **1.2 – Principal Uses** by:

- (1) Deleting **Eating Establishments** and renumbering the following paragraphs.
- (2) Adding the following uses in the appropriate locations:

**Food primary establishment**  
**Liquor Primary Establishment, major (CD5lp only)**  
**Liquor primary establishment, minor**

(v) Amending **CD6 – Comprehensive Residential Golf Resort** as follows:

(A) Replacing the title with the following:

**CD6 – Comprehensive Residential Golf Resort /CD6lp – Comprehensive Residential Golf Resort (Liquor Primary)**

(B) Amending subsection **1.3 – Secondary Uses** by:

- (1) Deleting **Eating and Drinking Establishment, Minor** and renumbering the following paragraphs.
- (2) Adding the following uses in the appropriate locations:

**Food primary establishment**  
**Liquor primary establishment, major (CD6lp only)**  
**Liquor primary establishment, minor**

(vi) Amending **CD8 – Heritage Industrial** as follows

(A) Replacing the title with the following:

**CD8 – Heritage Industrial/CD8lp/rls – Heritage Industrial (Liquor Primary/Retail Liquor Sales)**

(B) Amending subsection **1.2 – Principal Uses** by:

- (1) Deleting **Eating and Drinking Establishment, Major** and **Eating and Drinking Establishment, Minor** and renumbering the following paragraphs.
- (2) Adding the following uses in the appropriate locations:

**Food primary establishment**  
**Liquor Primary Establishment, major (CD8lp/rls only)**  
**Liquor primary establishment, minor**  
**Retail Liquor Sales Establishment (CD8lp/rls only)**

(C) Adding the following to subsection **1.6 – Other Regulations** and relettering the subsequent paragraphs:

“(e) **Retail Liquor Sales Establishments** shall not have a **gross floor area** of greater than 186m<sup>2</sup>.”

(vii) Amending **CD9 – Heritage Commercial** as follows

(A) Amending subsection **1.2 – Principal Uses** by:

(1) Deleting **Eating and Drinking Establishment, Minor** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment**  
**Liquor primary establishment, minor**

(viii) Amending **CD12 – Airport** as follows

(A) Replacing the title with the following:

**CD12 – Airport/CD12lp/rls – Airport (Liquor Primary/Retail Liquor Sales)**

(B) Amending subsection **1.3 – Secondary Uses** by:

(1) Deleting **Eating and Drinking Establishment, Major** and **Eating and Drinking Establishment, Minor** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment**  
**Liquor Primary Establishment, major (CD12lp/rls only)**  
**Liquor primary establishment, minor**  
**Retail Liquor Sales Establishment (CD12lp/rls only)**

(C) Adding the following to subsection **1.6 – Other Regulations** and relettering the subsequent paragraphs:

“(c) **Retail Liquor Sales Establishments** shall not have a **gross floor area** of greater than 186m<sup>2</sup>.”

(viii) Amending **CD14 – Comprehensive High Tech Business Campus** as follows

(A) Amending subsection **1.3 – Secondary Uses** by:

(1) Deleting **Eating and Drinking Establishment, Minor** and **Wine/Beer Stores** and renumbering the following paragraphs.

(2) Adding the following uses in the appropriate locations:

**Food primary establishment**  
**Liquor primary establishment, minor**

2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 10<sup>th</sup> day of March, 2003.

Considered at a Public Hearing on the 15<sup>th</sup> day of April, 2003.

Amended at first reading on the 28<sup>th</sup> day of April, 2003.

Re-considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under The Highways Act this

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(Approving Officer - Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk