

# **CITY OF KELOWNA**

## **BYLAW NO. 8980**

### **Z03-0007 – City of Kelowna – Various Properties Liquor Licensing Rezoning**

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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) Changing the zoning classification of the following properties from the C2 – Neighbourhood Commercial zone to the C2rls – Neighbourhood Commercial (Retail Liquor Sales) zone:
    - (i) Lot A, Section 6, Township 26, Osoyoos Division Yale District, Plan 36411 located on Lakeshore Road, Kelowna, BC;
    - (ii) Lot A, Section 9 & 10, Township 26, Osoyoos Division Yale District, Plan 43297 located on KLO Road, Kelowna, BC; and
    - (iii) Lot 1, Section 34, Township 26, Osoyoos Division Yale District, Plan 42743 located on Finns Road, Kelowna, BC
  - (b) Changing the zoning classification of the following property from the C3 – Community Commercial zone to the C3lp – Community Commercial (Liquor Primary) zone:
    - (i) Lot 1, District Lot 143, Osoyoos Division Yale District, Plan KAP65021 located on McCurdy Road, Kelowna, BC.
  - (c) Changing the zoning classification of the following property from the C3 – Community Commercial zone to the C3lp/rls – Community Commercial (Liquor Primary/Retail Liquor Sales) zone:
    - (i) Lots A and B, Section 32, Township 26, Osoyoos Division Yale District, Plan KAP54790 located on Glenmore Road, Kelowna, BC,.
  - (d) Changing the zoning classification of the following property from the C4 – Town Centre Commercial zone to the C4lp – Town Centre Commercial (Liquor Primary) zone:
    - (i) Lot 2 District Lot 140, Osoyoos Division Yale District, Plan 24969 located on Spall Road, Kelowna, BC;
    - (ii) Lots 11 and 12, Section 23, Township 26, Osoyoos Division Yale District, Plan 12078 located on Rutland Road South, Kelowna, BC;
    - (iii) Lot 1, Section 23, Township 26, Osoyoos Division Yale District, Plan 2073 located on Highway 33 West, Kelowna, BC;
    - (iv) Lot A District Lot 137, Osoyoos Division Yale District, Plan KAP64836 located on Gordon Drive, Kelowna BC.
  - (e) Changing the zoning classification of the following properties from the C4 – Town Centre Commercial zone to the C4rls – Town Centre Commercial (Retail Liquor Sales) zone:
    - (i) Lot A, District Lot 138, Osoyoos Division Yale District, Plan KAP55098 located on Gordon Drive, Kelowna, BC
    - (ii) Lot 1, District Lot 137, Osoyoos Division Yale District, Plan 35438 located on Gordon Drive, Kelowna, BC;

- (iii) Lot 2, District Lots 14 & 135, Osoyoos Division Yale District, Plan KAP54407 located on Lakeshore Road, Kelowna, BC;
  - (iv) Lot B, Sections 26 & 27 Township 26, Osoyoos Division Yale District, Plan 30302 located on Highway 33 West, Kelowna, BC; and
  - (v) Lot A, District Lot 127, Osoyoos Division Yale District, Plan KAP48113 located on Cooper Road, Kelowna, BC.
- (f) Changing the zoning classification of the following properties from the C4 – Town Centre Commercial zone to the C4lp/rls – Town Centre Commercial (Liquor Primary/Retail Liquor Sales) zone:
- (i) Lot B, District Lot 137, Osoyoos Division Yale District, Plan KAP64836 located on Harvey Avenue, Kelowna, BC;
  - (ii) Lot C, District Lot 14, Osoyoos Division Yale District, Plan 22527 except Plan 35659 located on Lakeshore Road, Kelowna, BC; and
  - (iii) Lot 3, Section 23, Township 26, Osoyoos Division Yale District, Plan 2221 except Plan 35578 and 43627 located on Rutland Road South, Kelowna, BC,
- (g) Changing the zoning classification of the following property from the C6 – Regional Commercial zone to the C6lp – Regional Commercial (Liquor Primary) zone:
- (i) Lot 1, District Lots 127 and 4646, Osoyoos Division Yale District, Plan KAP47930 located on Dilworth Drive, Kelowna, BC.
- (h) Changing the zoning classification of the following property from the C6 – Regional Commercial zone to the C6rls – Regional Commercial (Retail Liquor Sales) zone:
- (i) Lot 4 District Lot 127, Osoyoos Division Yale District, Plan KAP59534 located on Dilworth Drive, Kelowna, BC.
- (i) Changing the zoning classification of the following properties from the C7 – Central Business Commercial zone to the C7lp – Central Business Commercial (Liquor Primary) zone:
- (i) Lot 1, District Lot 139, Osoyoos Division Yale District, Plan 4153 and west ½ Lot 5, District Lot 139, Osoyoos Division Yale District, Plan 505, located on Bernard Avenue, Kelowna, BC;
  - (ii) Lot 9, Block 13, District Lot 139, Osoyoos Division Yale District, Plan 462, located on Lawrence Avenue, Kelowna, BC;
  - (iii) Lot 7, Block 10, District Lot 139, Osoyoos Division Yale District, Plan 462 located on Leon Avenue, Kelowna, BC;
  - (iv) Lot 1, District Lot 139, Osoyoos Division Yale District, Plan 32713 located on Leon Avenue, Kelowna, BC;
  - (v) Lots 6 & 7, District Lot 139, Osoyoos Division Yale District, Plan 505 and Lot A, District Lot 139, Osoyoos Division Yale District, Plan 2180 located on Queensway Avenue, Kelowna, BC;
  - (vi) Lots 1 and 2, Block 8, District Lot 139, Osoyoos Division Yale District, Plan 462 located on Ellis Street, Kelowna, BC;
  - (vii) Lot 3, Block 13, District Lot 139, Osoyoos Division Yale District, Plan 462 located on Lawrence Avenue, Kelowna, BC;
  - (viii) Lot A, District Lot 139, Osoyoos Division Yale District, Plan 36244 located on Abbott Street, Kelowna, BC; and
  - (ix) Lot 8, Block 10, District Lot 139, Osoyoos Division Yale District, Plan 462 located on Leon Avenue.

- (j) Changing the zoning classification of the following property from the C7 – Central Business Commercial zone to the C7rls – Central Business Commercial (Retail Liquor Sales) zone:
  - (i) Lot B, District Lot 139, Osoyoos Division Yale District, Plan 14322 located on Bernard Avenue, Kelowna, BC,
- (k) Changing the zoning classification of the following properties from the C7 – Central Business Commercial zone to the C7lp/rls – Central Business Commercial (Liquor Primary/Retail Liquor Sales) zone:
  - (i) Lot 9, Block 14, District Lot 139, Osoyoos Division Yale District, Plan 462 except the east 15 feet thereof located on Bernard Avenue, Kelowna, BC
  - (ii) Lots 3 and 4, Block 17, District Lot 139, Osoyoos Division Yale District, Plan 462 located on Bernard Avenue, Kelowna, BC and Lot 9, Block 17, District Lot 139, Osoyoos Division Yale District, Plan 462; Lots A & B, District Lot 139, Osoyoos Division Yale District, Plan 5122 all located on Queensway Avenue, Kelowna, BC
- (l) Changing the zoning classification of the following properties from the C8 – Convention Hotel Commercial zone to the C8lp – Convention Hotel Commercial (Liquor Primary) zone:
  - (i) Lot A, District Lots 139, 4041 & 4082, Osoyoos Division Yale District, Plan KAP47378 except Strata Plan KAS1140 and Lot B, District Lots 139, 3454 & 4082, Osoyoos Division Yale District, Plan KAP47378 both located on Water Street, Kelowna, BC.,
- (m) Changing the zoning classification of the following properties from the C9 – Tourist Commercial zone to the C9lp – Tourist Commercial (Liquor Primary) zone:
  - (i) Lot 1, Section 1 & 12, District Lots 134 & 5225, Osoyoos Division Yale District, Plan KAP67232, located on Cook Road, Kelowna, BC;
  - (ii) Lot A, District Lot 134, Section 6, Township 26, Osoyoos Division Yale District, Plan KAP56428 Except Plan KAS1776 located on Lakeshore Road, Kelowna, BC; and
  - (iii) Lot A, District Lot 127, Osoyoos Division Yale District, Plan 23746 located on Harvey Avenue, Kelowna, BC.
- (n) Changing the zoning classification of the following properties from the C9 – Tourist Commercial zone to the C9lp/rls – Tourist Commercial (Liquor Primary/Retail Liquor Sales) zone:
  - (i) Lot A, District Lot 125, Osoyoos Division Yale District, Plan 19786 except Plans H18058 and KAP44339 located on Highway 97 North, Kelowna, BC; and
  - (ii) Lot A, District Lot 127, Osoyoos Division Yale District, Plan 42733, located on Harvey Avenue, Kelowna, BC
- (o) Changing the zoning classification of the following property from the CD5 - Multi-Purpose Facility Comprehensive Development zone to the CD5lp - Multi-Purpose Facility Comprehensive Development (Liquor Primary) zone:
  - (i) Lot 1, District Lot 139, Osoyoos Division Yale District, Plan KAP60698 except Air Space Plan KAP60701 located on Water Street, Kelowna, BC

- (p) Changing the zoning classification of the following properties from the CD6 - Comprehensive Residential Golf Resort zone to the CD6lp - Comprehensive Residential Golf Resort (liquor primary) zone:
  - (i) Lot A, Sections 14, 15, 22 and 23, Township 23, Osoyoos Division Yale District, Plan KAP56201 except Plan KAP68068 located on Quail Ridge Boulevard, Kelowna, BC;
  - (ii) Lot 6, Section 2, Township 26, Osoyoos Division Yale District, Plan KAP71295 located on Gallaghers Drive, Kelowna, BC
- (q) Changing the zoning classification of the following property from the CD8 - Heritage Industrial Comprehensive Development zone to the CD8lp/rls – Heritage Industrial (Liquor Primary/Retail Liquor Sales) zone:
  - (i) Lot 1, District Lot 139, Osoyoos Division Yale District, Plan 42511 located on Ellis Street, Kelowna, BC.
- (r) Changing the zoning classification of the following property from the CD12 - Airport Comprehensive Development zone to the CD12lp/rls – Airport (Liquor Primary/Retail Liquor Sales) zone:
  - (i) Lot 3, District Lot 32 and 120, Section 14, Township 23, Osoyoos Division Yale District, Plan 11796 located on Airport Way, Kelowna, BC.
- (s) Changing the zoning classification of the following property from the P1 – Major Institutional zone to the P1lp – Major Institutional (Liquor Primary) zone:
  - (i) Lot 2, Section 20, Township 26, Osoyoos Division Yale District, Plan 32159 located on Burtch Road, Kelowna, BC;
  - (ii) Lot 2, District Lot 139, Osoyoos Division Yale District, Plan 19829 located on Recreation Avenue and Gaston Avenue, Kelowna, BC; and
  - (iii) Lot B, District Lot 139, Osoyoos Division Yale District, Plan 18028 located on Recreation Avenue, Kelowna, BC.
- (t) Changing the zoning classification of the following properties from the P3 – Parks and Open Space zone to the P3lp – Parks and Open Space (Liquor Primary) zone:
  - (i) Lot A, Section 9 & 10, Township 26, Osoyoos Division Yale District, Plan KAP45934 located on KLO Road, Kelowna, BC;
  - (ii) Lot A, Section 29, Township 26, Osoyoos Division Yale District, Plan 23125 Except Plan KAP60640 located on Glenmore Drive, Kelowna, BC;
  - (iii) Lot A, Sections 9 & 10, Township 26, Osoyoos Division Yale District, Plan 43297 located on KLO Road, Kelowna, BC;
  - (iv) Lot 1, District Lot 168, Section 6, Township 26, Osoyoos Division Yale District, Plan KAP49584 located on Lexington Drive, Kelowna, BC; and
  - (v) Lot A, District Lot 131, Section 8, Township 26, Osoyoos Division Yale District, Plan 35770 located on KLO Road, Kelowna BC
  - (vi) Lot A, Section 11, Township 23, District Lot 122, Osoyoos Division Yale District, Plan 40375 located on Bulman Road, Kelowna, BC.
- (u) Changing the zoning classification of the following properties from the P5 – Municipal District Park zone to the P5lp – Municipal District Park (Liquor Primary) zone:
  - (i) Lot 1, District Lot 168, and of Section 6, Township 26, Osoyoos Division Yale District, Plan KAP46027 except Plan KAP49584; Lot 2, Section 6, Township 26, Osoyoos Division Yale District, Plan KAP46027; Lot C, District Lot 168 and Section 6, Township 26, Osoyoos Division Yale District, Plan 41675 except Plan KAP46592; and of Lot B, Section 6, Township 26, Osoyoos Division Yale District, Plan 33324 except Plan KAP46592 all located on Gordon Drive, Kelowna BC.

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