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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** November 1, 2005

**To:** City Manager

**From:** Planning and Corporate Services Department

**Subject:**

**APPLICATION NO.** Z05-0067

**OWNER:** Dilworth Shopping Centre Ltd.

**AT:** 2339-2397 Hwy.97

**APPLICANT:** Rising Tide Consultants Ltd.

**PURPOSE:** TO REZONE THE SUBJECT PROPERTY FROM THE C4 – URBAN CENTRE COMMERCIAL ZONE TO THE C4RLS – URBAN CENTRE COMMERCIAL– RETAIL LIQUOR SALES ZONE IN ORDER TO ACCOMMODATE A NEW RETAIL LIQUOR STORE ON THE SUBJECT PROPERTY

**EXISTING ZONE:** C4 – URBAN CENTRE COMMERCIAL

**PROPOSED ZONE:** C4 – URBAN CENTRE COMMERCIAL/C4RLS – URBAN CENTRE COMMERCIAL – RETAIL LIQUOR SALES

**REPORT PREPARED BY:** RYAN SMITH

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z05-0067 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot A, District Lots 126 and 532, ODYD Plan 40108, located on Highway.97 North, Kelowna, B.C., from the C4 – Urban Centre Commercial zone to the C4rls – Urban Centre Commercial (Retail Liquor Sales) zone as shown on Map "A" attached to the report of Planning & Corporate Services Department dated November 1, 2005, be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Ministry of Transportation and the Liquor Control and Licensing Branch being completed to their satisfaction.

**2.0 SUMMARY**

The applicant is seeking to rezone the subject property to add a retail liquor store designation to the parent C4 – Urban Centre Commercial zone. The proposed rezoning would allow the operation of a retail liquor store in a commercial retail unit in the existing Dilworth Mall. The liquor store will occupy a space measuring 340 m<sup>2</sup>.

### 3.2 Site Context

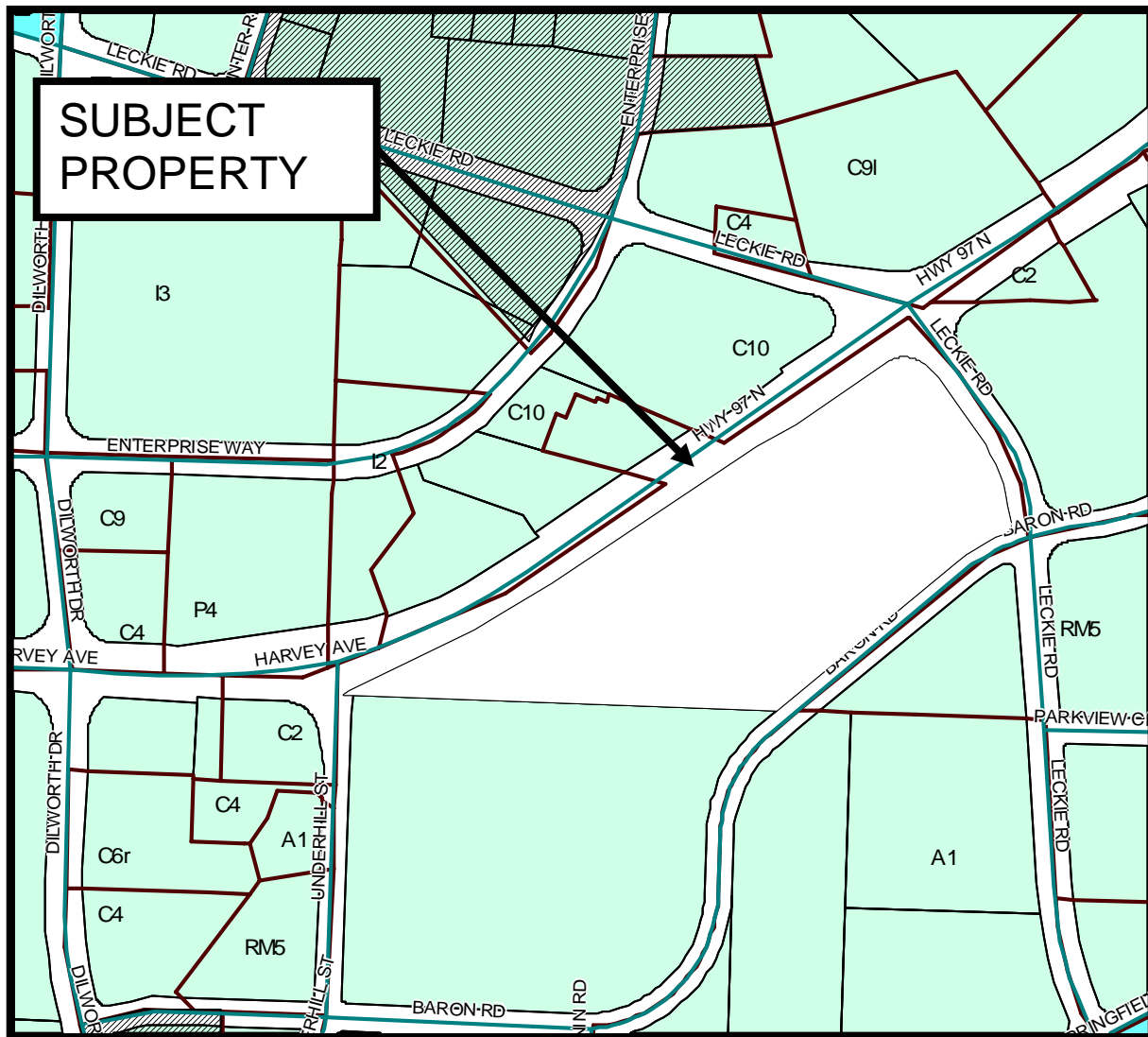
The subject property is located the south side of Hwy.97 and is bordered by Leckie Road, Underhill Street and Baron Road.

Adjacent zones and uses are:

- North - C10 – Service Commercial
- East - C10 – Service Commercial
- South - C4 – Urban Centre Commercial
- West - C10 – Service Commercial

### 3.3 Site Location Map

Subject Property: 2339-2397 Hwy.97 N



**4.0 DEVELOPMENT REGULATIONS**

The purpose of the C4 – Urban Centre Commercial zone is to provide a zone for the development of community commercial centres to serve more than one neighbourhood. Retail liquor sales is a permitted in this zone with a minor rezoning to at the “RLS” designation.

**5.0 CURRENT DEVELOPMENT POLICY**

**5.1 Mayors Entertainment District Task Force Report**

The proposal meets the criteria of the Mayor's Entertainment District Task Force Report in that the proposed retail liquor store is separated from the nearest other retail liquor sales establishment by more than 100m.

**6.0 TECHNICAL COMMENTS**

The application has been submitted to various technical agencies and City departments, and the following comments have been submitted:

**6.1 Inspection Services Department**

Building Permit for renovations required. All renovations must conform to the B.C. Building Code.

**6.2 Works and Utilities Department**

The proposed rezoning application does not compromise Works and Utilities servicing requirements.

**7.0 PLANNING AND CORPORATE SERVICES DEPARTMENT**

The Planning and Corporate Services Department has no concerns with the proposed rezoning for a retail liquor store. The proposal is consistent with the provisions of the Mayor's Entertainment District Task Force.

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Andrew Bruce  
Development Services Manager

Approved for inclusion

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

RM/AB/rs  
Attach.

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of subject property
- Floor Plan
- Map “A”
- Site Plan

