

REPORT TO COUNCIL



Date: March 23, 2012

To: City Manager

From: Land Use Management, Community Sustainability (LT)

Application: Z12-0011 **Applicant:** Heartland Group (F. Hamel)

Address: 3195 Lakeshore Road **Owner:** Gazelle Enterprises Inc.

Subject: Rezoning Application (Liquor Store)

Existing OCP Designation: Mixed-Use (Residential/Commercial)

Existing Zone: C4 - Urban Centre Commercial

Proposed Zone: C4rls - Urban Centre Commercial (Retail Liquor Sales)

1.0 Recommendation

THAT Rezoning Application No. Z12-0011 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot A, District Lots 14 & 135 ODYD Plan KAP47364, Kelowna, BC from the C4 - Urban Centre Commercial zone to the C4rls - Urban Centre Commercial (Retail Liquor Sales) zone, be considered by Council;

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

2.0 Purpose

The applicant is proposing to rezone the subject property to add the "rls" (Retail Liquor Sales) designation to the existing zone, in order to operate a liquor store in an existing building.

3.0 Land Use Management

Council Policy 359 provides some guidance related to the location of liquor stores that aim to limit potential land use conflicts and community disturbance issues related to liquor stores and liquor primary establishments. In addition, the Liquor Control & Licensing Branch (LCLB) requires that any new or relocated private liquor stores must be a minimum of 1km from another private liquor store (location of government liquor stores excluded). The proposed liquor store relocation complies with these policies. It should be noted that the LCLB's current 1km policy would preclude an additional liquor store opening in the former (Pheasant & Quail) location, or on any other commercial property within the South Pandosy Urban Centre.

The subject property is in very close proximity to the existing location, and represents the only private liquor store within the South Pandosy area. As such, no negative impacts from the relocation are anticipated. In addition, the new site would improve access, vehicle circulation and parking provisions for the store.

In consideration of the above, the Land Use Management Department recommends that the rezoning be supported.

4.0 Proposal

4.1 Project Description

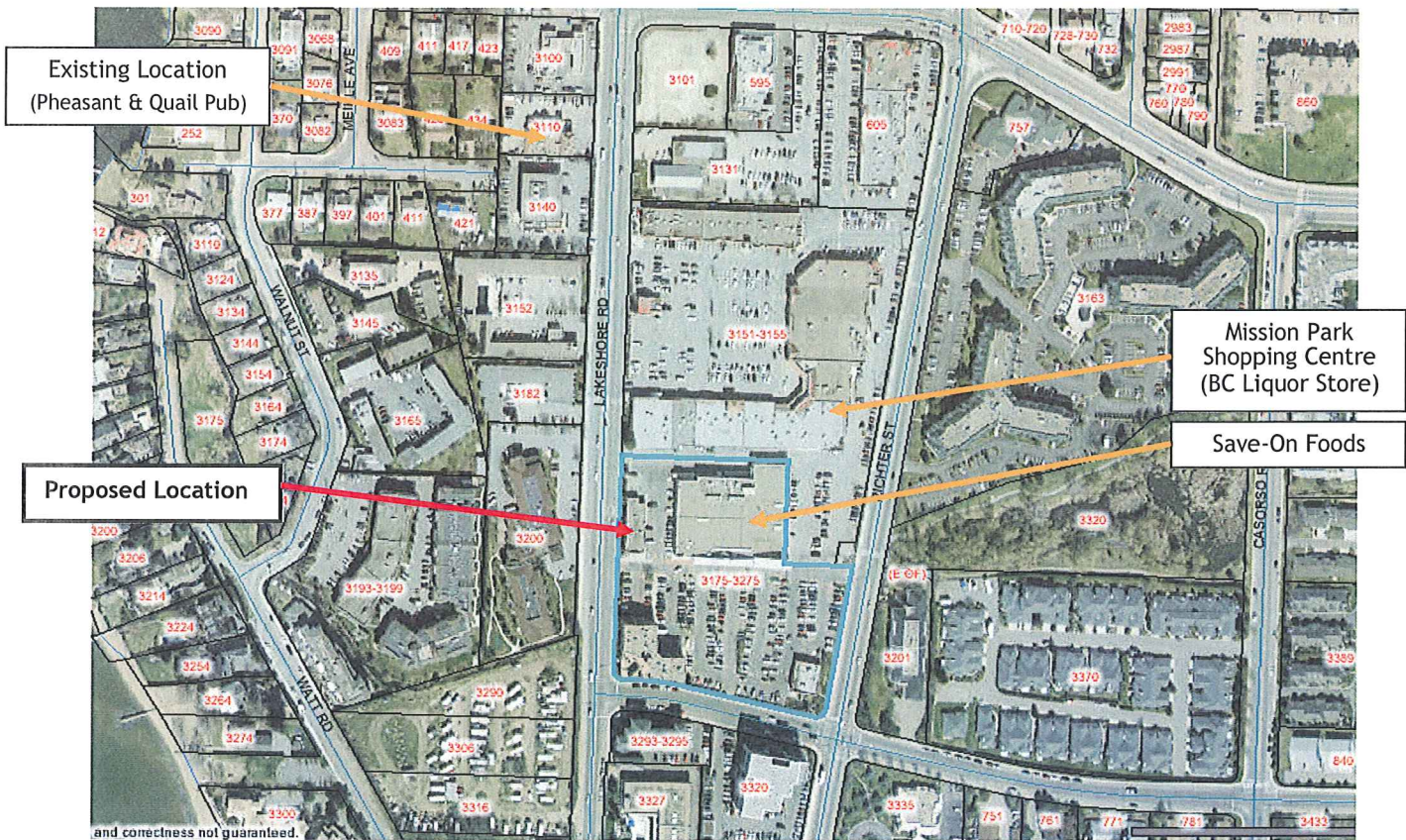
The applicant is proposing to relocate an existing private liquor store to the subject property. The existing location (Pheasant & Quail Liquor Store) is approximately 200m to the north of the proposed location (former Rogers Video store). As per Zoning Bylaw No. 8000, the proposed location requires a rezoning to add the “rls” (Retail Liquor Sales) designation to the existing zone to permit liquor stores.

4.2 Site Context

The subject property is located within the South Pandosy Urban Centre, within an existing shopping centre. Specifically, the adjacent zones and land uses are:

Direction	Zone	Land Use
North	C4rls - Urban Centre Commercial (Retail Liquor Sales)	Mission Park Shopping Centre
South	C4 - Urban Centre Commercial	Mixed Commercial/ Professional Offices
East	RM3 - Low Density Multiple Housing RM5 - Medium Density Multiple Housing	Multi-unit residential
West	RM4 - Transitional Low Density Housing	Lakeshore Place Retirement Home

4.3 Subject Property Map: 3195 Lakeshore Road



5.0 Current Development Policies

As per Council Policy #359 (Liquor Licensing Policy & Procedures), the following considerations should be made for the location of liquor stores/retail liquor sales (RLS):

- Continue to require new or relocated RLS establishments to apply for a rezoning application to allow for "Retail Liquor Sales" in applicable zones.
- No Retail Liquor Sales shall be approved for (in conjunction with) Liquor Primary Establishments with person capacity that exceed 150 persons.
- Any new or relocated Retail Liquor Sales establishment shall not be located within 300m of an existing Liquor Primary establishment with a capacity greater than 350 persons.

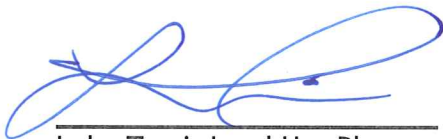
6.0 Technical Comments

No concerns were raised through file circulation.

7.0 Application Chronology

Date of Application Received February 23, 2012

Report prepared by:



Luke Turri, Land Use Planner

Reviewed by :



Danielle Noble, Manager, Urban Land Use Branch

Approved for inclusion:



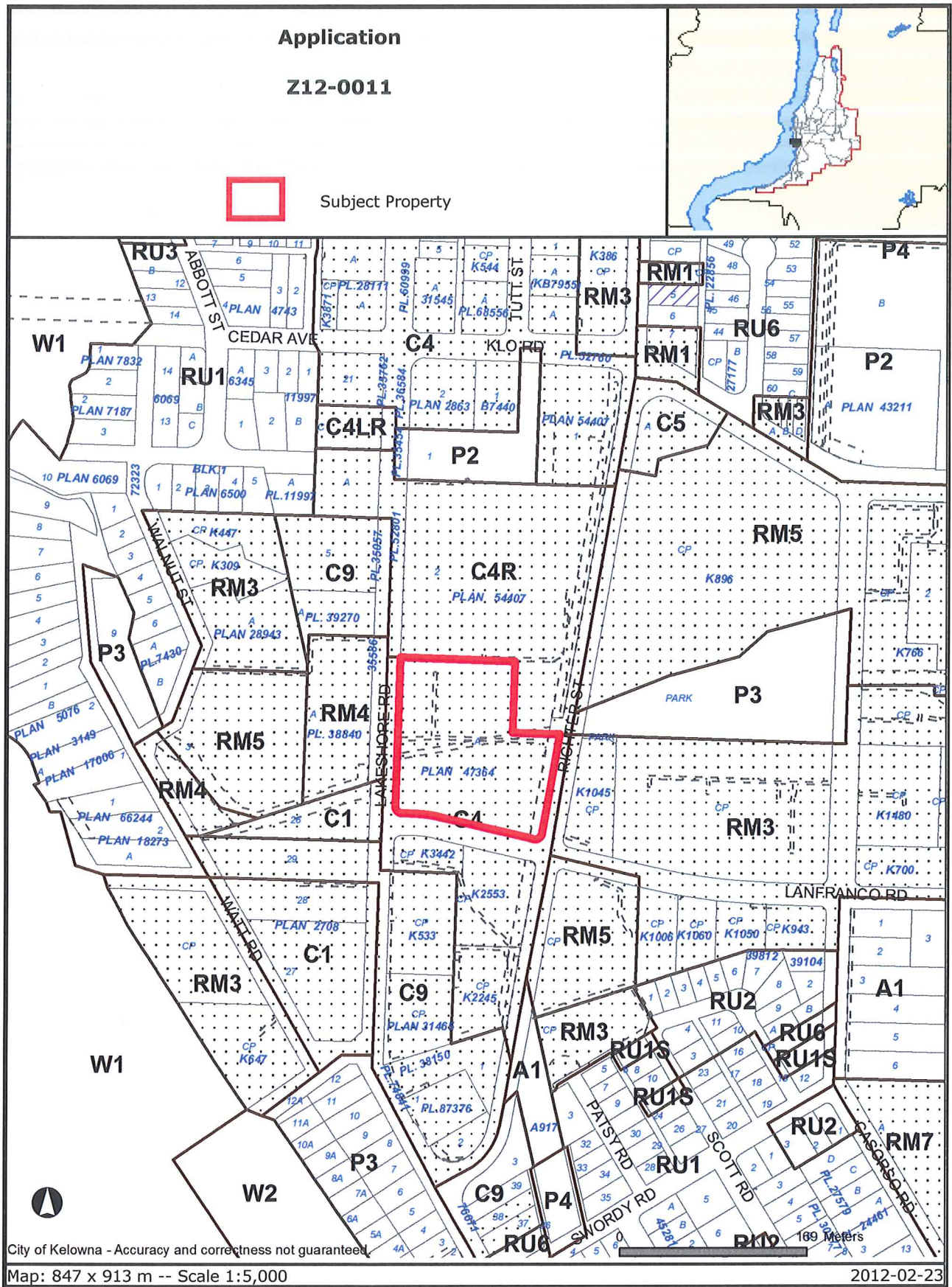
Shelley Gambacort, Director, Land Use Management

Attachments:

Subject Property Map

Site Plan

[Faint handwritten notes and signatures at the bottom of the page]



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.



Vehicle Access

Proposed Location

Save-On Foods

Tim Horton's

Vehicle Access

LAKESHORE RD

RICHTER ST

(E OF)

3151-3155

3175-3275

3201

3293-3295

LAMER

Z11-0012 - Liquor Store Relocation - Site Plan