

# City of Kelowna Public Hearing AGENDA



Tuesday, February 26, 2013  
6:00 pm  
Council Chamber  
City Hall, 1435 Water Street

Pages

## 1. Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

**1. (a)** The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

(b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing.

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after February 12, 2013 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

(d) Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.

(e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.

## 2. Notification of Meeting

The City Clerk will provide information as to how the Hearing was publicized.

## 3. The Mayor will provide comment on procedures for each bylaw submission.

## 4. Individual Bylaw Submissions

### 4.1 Bylaw No. 10796 - Text Amendment Application No. TA12-0013 - Text Amendment to Zoning Bylaw for various section updates 4 - 9

The City of Kelowna is proposing various text amendments to the City of Kelowna Zoning Bylaw No. 8000 are proposed as follows: 1. To revise the interpretation of building height and provide corresponding illustrations; 2. To amend the criteria by which dormers are considered the main roof for the purpose of protecting neighbours privacy and minimizing the impact of the dormer height; 3. To amend the permitted height for accessory structures in A1-Agriculture and RR1-Rural Residential zones; 4. To update references from the 's' or 'c' zoning designations in the landscape section of the Zoning Bylaw to reflect recent changes to secondary suites; 5. To distinguish the parking regulations for secondary suites and carriage houses.

### 4.2 Bylaw No. 10801 - Text Amendment Application No. TA12-0010 - 1310-1352 Water Street 10 - 31

The applicant is proposing to add 'breweries and distilleries, minor' as a permitted secondary use within the C8 - Convention Hotel Commercial Zone.

### 4.3 Bylaw No. 10802 - Rezoning Application No. Z12-0071 - 1789 KLO Road 32 - 38

The applicant is proposing to rezone the subject property from the C2 - Neighbourhood Commercial zone to the C2rls - Neighbourhood Commercial (Retail Liquor Sales) zone to facilitate a retail liquor store in an existing commercial unit.

## 5. Termination

## 6. Procedures On Each Bylaw Submission

(a) Brief description of the application by City Staff (Land Use Management or Policy and Planning Department).

(b) The Chairman will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.

(c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.

(d) The Chairman will call for representation from the public in attendance.

(i) The microphone at the podium has been provided for any person(s) wishing to make representation to the meeting.

(ii) The Chair will recognize ONLY speakers at podium.

(iii) Speakers are encouraged to limit their remarks to 5 minutes. However, if they have additional information they may address Council again after all other members of the public have been heard a first time.

(e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.

(f) Questions of staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.

(g) Final calls for representation (Ask three times). Unless Council directs that the public hearing on the bylaw in question be adjourned (held open), the chairman shall state to the gallery that the public hearing on that bylaw is closed.

Note: Any applicant or member of the public may use visual aids (eg. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer station and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.

# REPORT TO COUNCIL



**Date:** January 3, 2013

**RIM No.** 1250-04

**To:** City Manager

**From:** Land Use Management, Community Sustainability (BD)

**Application:** TA12-0013 **Applicant:** City of Kelowna (B. Decloux)

**Subject:** Text Amendment to Zoning Bylaw for various section updates

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## 1.0 Recommendation

THAT Zoning Bylaw Text Amendment No. TA12-0013 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule 'A' attached to the Report of the Land Use Management Department dated January 3, 2013, be considered by Council;

AND THAT the Text Amendment No. TA12-0013 bylaw be forwarded to a Public Hearing for further consideration.

## 2.0 Purpose

Various text amendments to the City of Kelowna Zoning Bylaw No. 8000 are proposed as follows:

1. To revise the interpretation of building height and provide corresponding illustrations;
2. To amend the criteria by which dormers are considered the main roof for the purpose of protecting neighbours privacy and minimizing the impact of the dormer height;
3. To amend the permitted height for accessory structures in A1-Agriculture and RR1- Rural residential zones;
4. To update references from the 's' to 'c' zoning designations in the landscape section of the Zoning Bylaw to reflect recent changes to secondary suites;
5. To distinguish the parking regulations for secondary suites and carriage houses.

## 3.0 Land Use Management

Land Use Management is proposing the following amendments to the City of Kelowna Zoning Bylaw No. 8000 to provide further clarity on development regulations, allowable uses and corresponding development regulations. These changes are explained in further detail below with the exact wording proposed on Schedule "A" as attached. The objectives are:

- To remove references to the 's' zone;
- To improve definition clarity for terms that are routinely used when interpreting development regulations;
- To evaluate the built form of accessory structures (now carriage houses) as per SR151852 and 174898 and review the corresponding development regulations to ensure they are sensitively integrated into existing neighborhoods.

Notably, Council directed Staff to consider the size, height, and setbacks of accessory structures in response to structures containing a secondary suite that have been viewed as not sensitively integrating into an established urban neighbourhood. Staff have researched other communities and evaluated the City of Kelowna requirements against those of other municipalities and it was determined that the size of secondary suites and carriage houses is consistent with other jurisdictions. Further, as the maximum size requirement is derived from the BC building code regulations, the provisions of the Zoning Bylaw ensure that health and safety requirements are achievable. The City of Kelowna setback requirements are among the most stringent of all municipalities reviewed, and imposing more restrictive development regulations could be an impediment to parcels developing with this needed housing form. The minimum required setback assists in fire protection of the carriage house and neighbouring buildings. Additionally, the current regulations also seek to address privacy of the direct neighbours.

However, some minor changes to the interpretation of building height are being proposed. The overall permitted height of an accessory building of 4.5m is not being changed, however revised definitions and clarifying illustrations are proposed. Specifically, a definition for the roof 'mid-point' is proposed as the point halfway between the roof peak and the top of the supporting wall to provide additional clarification on the built form and building height. Through this amendment, it is anticipated that this will end the manipulation of eave length and roof pitches to gain additional height (which has the most imposing impact on sensitive integration). Further, sample illustrations of building forms with a corresponding height interpretation will provide additional clarity. It is anticipated that these changes will ensure that carriage house and accessory buildings will meet the spirit of the intended height without artificially changing the built form to gain height through altered roof designs.

In summary, after a thorough review of other municipalities and accessory development regulations, the City of Kelowna has a more conservative approach to the built form than other communities. These amendments are considered modest in nature, and do not propose changes to allowable size of either a secondary suite or carriage house, as this has been determined to be a very desirable habitable size as demanded by the market and varying demographic housing needs. The amendments are focused on ensuring that building height and corresponding roof pitches cannot be altered to gain additional height that has been seen to be the largest concern of introducing these forms of buildings into an established neighbourhood.

#### **4.0 Proposal**

Proposed amendments are discussed in detail below, however the exact wording changes are noted in Schedule 'A'.

##### **1. Amendment to "Height" definitions:**

The height definition has been simplified and a definition for 'mid-point' is proposed. For further clarification, Diagram 2.1 is proposed to provide graphic illustration of height determination for various roof types to interpret allowable building height.

##### **2. Changes to dormer regulations:**

The current dormer regulations consider the peak of a dormer the highest point of a roof if they exceed 50% of the horizontal width of the building elevation on which they are located. In past development examples, this regulation has been manipulated to allow for expanded floor space within the upper ½ storey of carriage houses.

The proposed changes limit the number of dormers per elevation and the size of each dormer. It is anticipated that this change will reduce the perceived height of carriage houses, and further protect the privacy of neighbouring properties.

3. Revisions to accessory structure height in A1-Agriculture and RR1- Rural Residential zones:

It was noted that the allowable height for accessory buildings and carriage houses for the A1-Agriculture and RR1-Rural Residential zones was higher than permitted for a single family dwelling. This text amendment proposes to reduce the allowable height to ensure that accessory buildings containing habitable space are secondary in height to the principal residence. No changes are planned for the height of agricultural buildings which are currently permitted up to 16 meters in height.

4. Amendments of 's' to 'c' in section 7:

Housekeeping updates to complete the secondary suite changes from 's' to 'c' zoning designations as approved by Council in September 2012.

5. Clarify parking regulations for secondary suites and carriage houses:

The parking regulations for secondary suites and carriage houses were originally combined in Table 8.1 of the Zoning Bylaw 8000. For ease of interpretation by both Staff and the public, parking regulations for each of these uses is being separated.

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

**Policy .2 Compact Urban Form.** Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs per ha located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.<sup>1</sup>

### 5.2 Technical Comments

#### 5.3 Building & Permitting Department

The only issue our department has is with the depiction of the parapet height as shown on the sketch. The other issue is that an allowance for firewalls as defined in the building code is exempt from the height calculations. *Height diagram has been adjusted to reflect this comment. Section 6.6.1 is being amended to include firewalls.*

#### 5.4 Development Engineering Branch

*Comments received pertained to reducing the required parking for carriage houses, which is no longer being contemplated in this report.*

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<sup>1</sup> Official community plan Objective 5.2 Community Sustainability

5.5 Ministry of Transportation and Infrastructure

The Ministry has no objections or concerns regarding the proposed amendments with respect to carriage houses. File No. 2012-05674

**Report prepared by:**

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Birte Decloux, Land Use Planner

**Reviewed by:** ☐ Danielle Noble, Manager, Urban Land Use Management

**Approved for Inclusion:** ☐ Doug Gilchrist, Acting General Manager, Community Sustainability

**Attachments:**

Schedule 'A'

Diagram 2.1 - Height Interpretation

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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** December 13, 2012  
**File No.:** TA12-0013  
**To:** Land Use Management Department (BD)  
**From:** Development Engineering Manager  
**Subject:** Text Amendment to Zoning Bylaw No.8000 regarding Carriage Houses

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Development Engineering has the following requirements associated with servicing:

Development Engineering does not support the 11/Table 8.1 Parking Schedule Add: Carriage House.

Currently, a principal dwelling unit requires 2 parking stalls. The Text Amendment recommends that with the addition of a Carriage House a principal dwelling unit will require 1 parking stall and that the carriage unit require 1 parking stall. This amendment essentially assumes that with the addition of a Carriage House, there will be less parking requirements for a Principal Dwelling.

Under this amendment, if the Principal Dwelling has 2 cars and the requirement is for 1 stall, how does Bylaw react to permanent parking on the street.

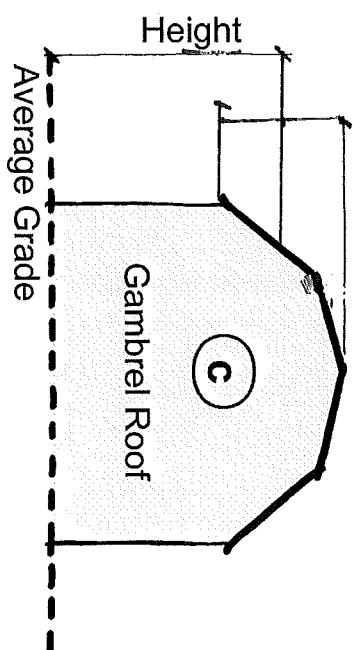
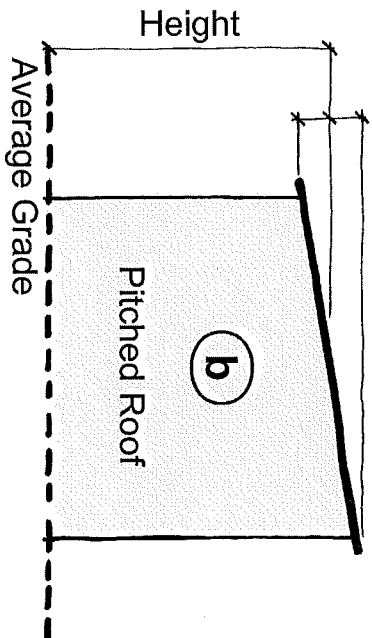
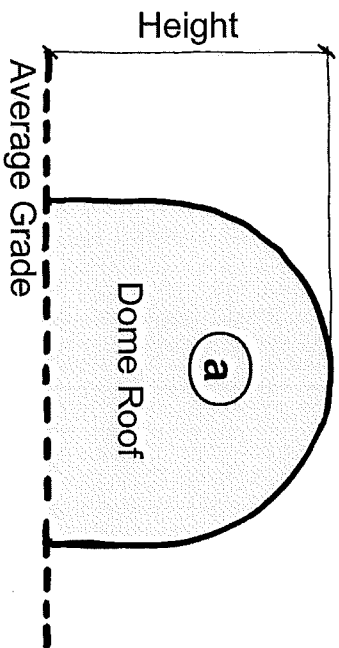
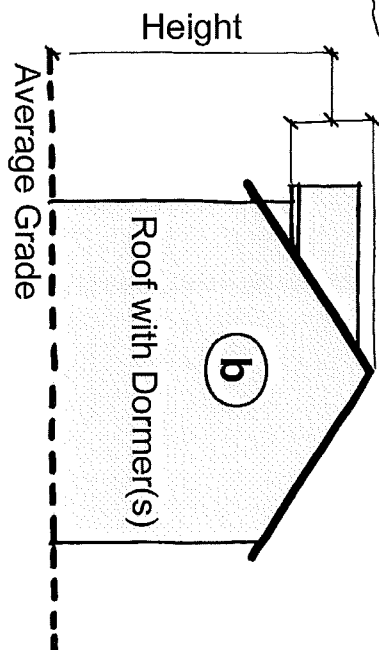
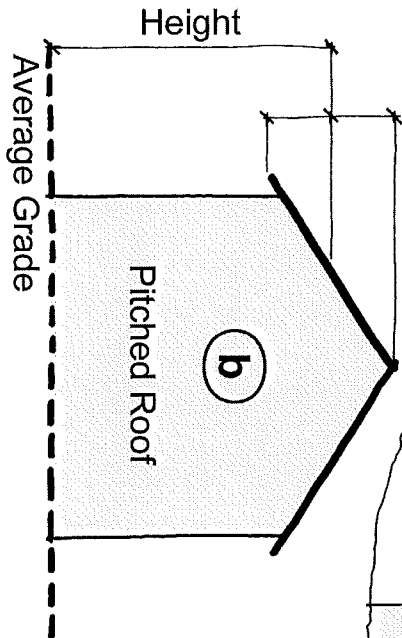
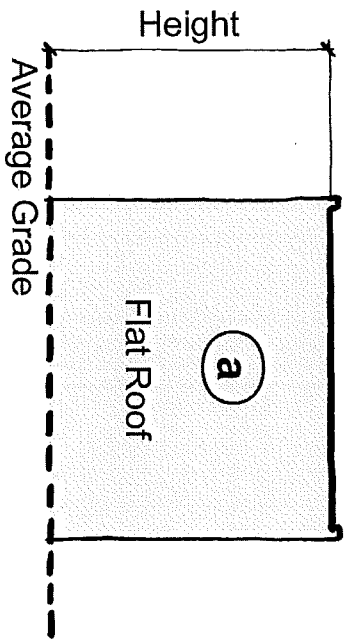
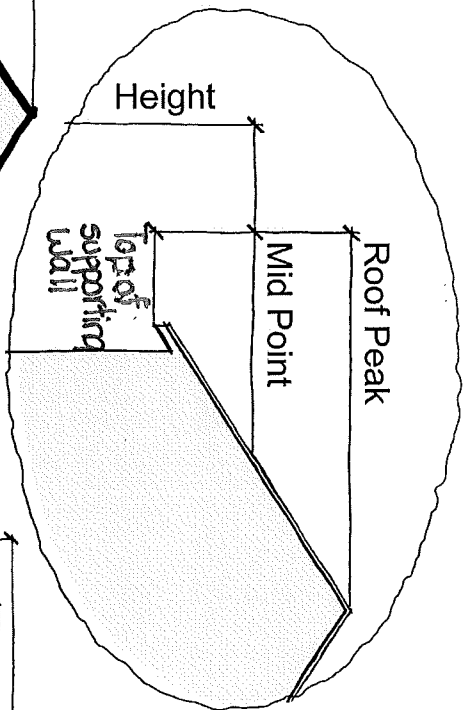
This Text Amendment should be circulated to Real Estate/Parking Branch.



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Steve Muenz, P. Eng.  
Development Engineering Manager





# REPORT TO COUNCIL



**Date:** January 18, 2013

**RIM No.** 1250-04

**To:** City Manager

**From:** Land Use Management, Community Sustainability (PMc)

**Application:** TA12-0010 **Owner:** Delta Hotels No. 48 Holdings Ltd.

**Address:** 1310-1352 Water St. **Applicant:** Delta Hotels No. 48 Holdings Ltd.

**Subject:** Text Amendment

**Existing OCP Designation:** Commercial

**Existing Zone:** C8 - Convention Hotel Commercial

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## 1.0 Recommendation

THAT Zoning Bylaw Text Amendment No. TA12-0010 to amend City of Kelowna Zoning Bylaw No. 8000, as outlined in Schedule 'A' of the report of the Land Use Management Department dated January 18, 2013 be considered by Council;

AND THAT the Text Amendment Bylaw be forwarded to a Public Hearing for further consideration.

## 2.0 Purpose

To add 'breweries and distilleries, minor' as a permitted secondary use within the C8 - Convention Hotel Commercial zone.

## 3.0 Land Use Management

The proposed addition of 'breweries and distilleries, minor' as a secondary use to the C8 - Convention Hotel Commercial zone is considered a modest change to the zone overall. The addition of this use was initiated by the applicant (Delta Hotels No. 48 Ltd.) to accommodate a prospective tenant within a building that is currently zoned C8 - Convention Hotel Commercial.

The location of the craft brewery and tasting room on the Delta Grand Okanagan Resort site will provide pedestrians with a destination beer tasting experience as an alternative to wine tasting, and provide an additional range of activities for tourists utilizing downtown facilities and the boardwalk along Okanagan Lake.

Notably, provincial liquor licensing regulation will control the operation of the craft brewery.

## 4.0 Proposal/Background

The applicant wishes to add ‘breweries and distilleries, minor’ as a permitted secondary use within the C8 - Convention Hotel Commercial zone in order that a ground level commercial tenant space, formerly used as a restaurant, can be developed into a craft brewery and tasting room. The proposed tenant for this space is a local Kelowna brewery that is looking at creating a craft brewery on the site to complement their north-end brewery location. The tasting areas will not only provide tasting of product produced in the craft brewery, but also provide education for beer and food pairings with food supplied by the Delta Grand Okanagan Resort. The entire facility will be marketed as a Beer Institute to educate consumers to taste, learn about beer products, as well as the art of craft brewing.

In February 2010, the “breweries and distilleries, major” and “breweries and distilleries, minor” use categories were added to Zoning bylaw 8000. That amendment added the ‘breweries and distilleries, minor’ use as permitted secondary use to the I2 - General Industrial, I3 - Heavy Industrial, I4 - Central Industrial zones, as well as the C4 - Urban Centre Commercial and the C7 - Central Business Commercial zones. The minor use category limits maximum manufacturing area to 275 m<sup>2</sup>.

The only site in Kelowna which is zoned the “C8 - Convention Hotel Commercial” zone is the Delta Grand Okanagan Resort. Therefore, this proposed text amendment will only affect the Delta Grand Okanagan Resort development, which is located within the City Centre Urban Town Centre.

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process Policies:

Complete Suburbs: Support a mix of uses within Kelowna’s suburbs, in accordance with ‘Smart Growth’ principles to ensure complete communities<sup>1</sup>.

Compact Urban Form: Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns<sup>2</sup>.

#### Economic Development Policies:

Sustainable Prosperity: Assign priority to supporting the retention, enhancement and expansion of existing businesses and post secondary institutions and the attraction of new businesses and investment identified as bringing sustainable prosperity to Kelowna<sup>3</sup>.

## 6.0 Technical Comments

The file was circulated to Policy and Planning Department and the RCMP. They responded they had no concerns.

## 7.0 Application Chronology

<sup>1</sup> City of Kelowna Official Community Plan, Objective 5.2, Chapter 5 page 5.2

<sup>2</sup> City of Kelowna Official Community Plan, Objective 5.3, Chapter 5 page 5.3

<sup>3</sup> City of Kelowna Official Community Plan, Objective 8.1, Chapter 8 page 8.1

Date of Application Received: October 5, 2012

Report prepared by:

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Paul McVey, Land Use Planner

Reviewed by: ☐ Todd Cashin, Manager, Land Use

Approved for Inclusion ☐ Doug Gilchrist, Acting General Manager,  
Community Sustainability

**Attachments:**

Schedule 'A' - Summary of Proposed Text Amendments  
Applicants Rationale document

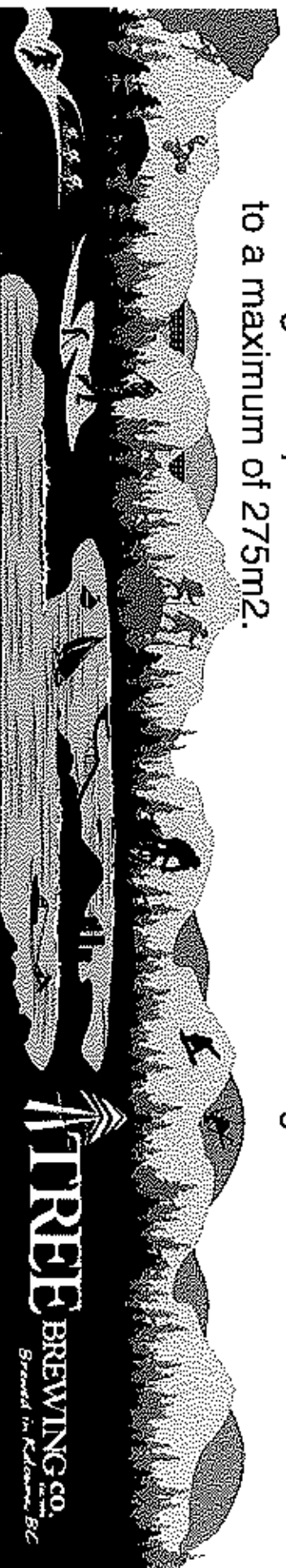
Zoning Bylaw No. 8000			
No.	Section	Existing Text	Proposed Text
1	14.8.3	<p>The secondary uses in this zone are:</p> <ul style="list-style-type: none"> <li>(a) agriculture, urban</li> <li>(b) amusement arcades, minor</li> <li>(c) apartment hotel</li> <li>(d) care centres, major</li> <li>(e) food primary establishment</li> <li>(f) gaming facilities</li> <li>(g) liquor primary establishment, major (C8lp only)</li> <li>(h) liquor primary establishment, minor</li> <li>(i) offices</li> <li>(j) personal service establishments</li> <li>(k) retail stores, convenience</li> <li>(l) retail stores, general</li> </ul>	<p>The secondary uses in this zone are:</p> <ul style="list-style-type: none"> <li>(a) agriculture, urban</li> <li>(b) amusement arcades, minor</li> <li>(c) apartment hotel</li> <li>(d) care centres, major</li> <li><b>(e) breweries and distilleries, minor</b></li> <li>(f) food primary establishment</li> <li>(g) gaming facilities</li> <li>(h) liquor primary establishment, major (C8lp only)</li> <li>(i) liquor primary establishment, minor</li> <li>(j) offices</li> <li>(k) personal service establishments</li> <li>(l) retail stores, convenience</li> <li>(m) retail stores, general</li> </ul>

# Text Amendment Change

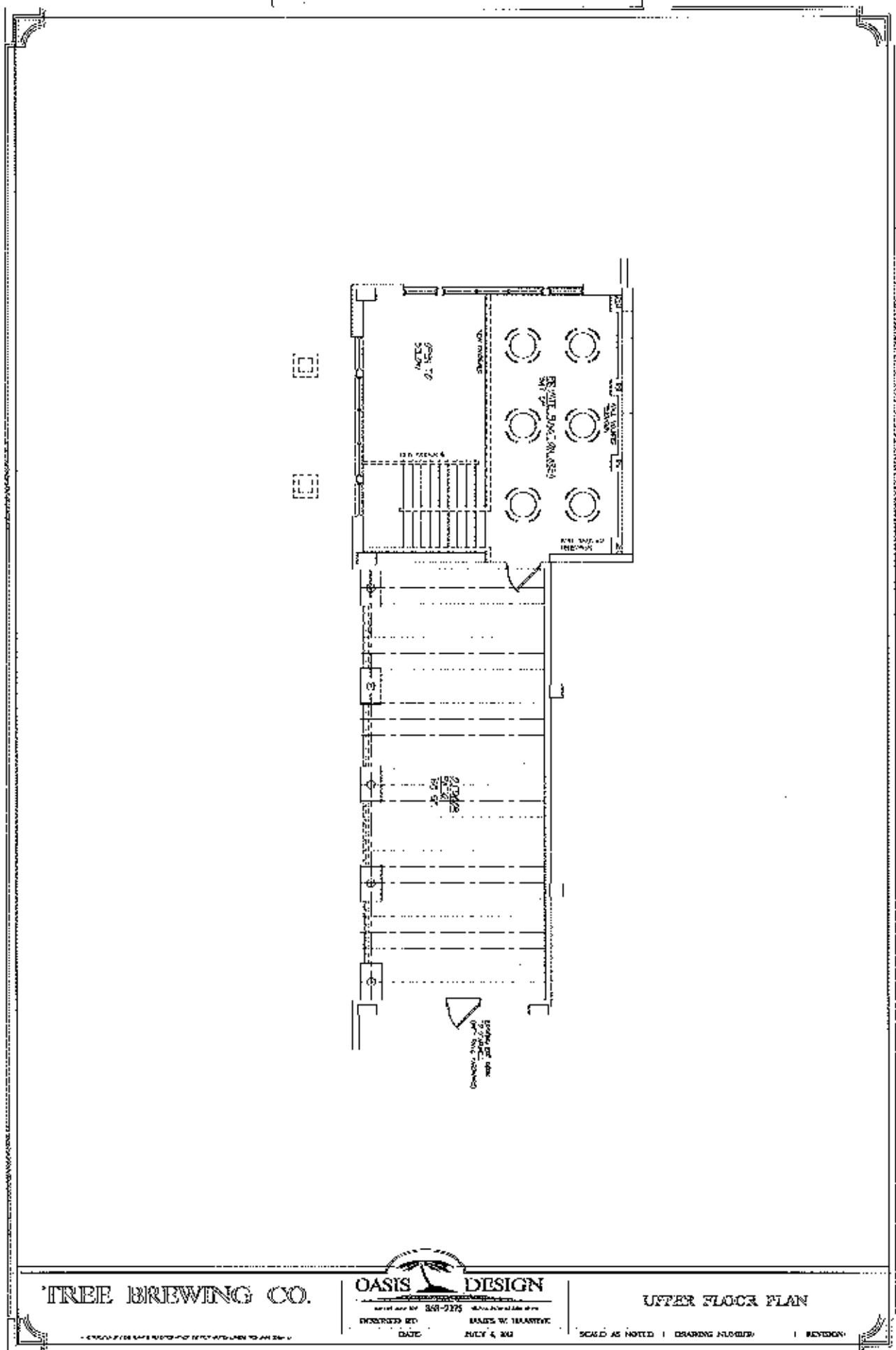
## Zone Change:

- In order for Tree Brewing to apply for a second brewery manufacturing license, The Delta property (zoned C8) would need to apply for an amendment to add the 'minor' use category to the zone

- BREWERIES AND DISTILLERIES, MINOR means the brewing or distilling of alcoholic beverages or alcoholic products with alcoholic content exceeding 1% by volume. This production must be licensed by the Liquor Control and Licensing Act. The public tasting and retail sale of alcoholic product is limited to that which is produced on-site. All processes, functions and mechanical equipment associated with the use must be contained indoors, and are limited to production activities which are not deemed to be noxious or offensive to adjacent properties or the general public. The total area for manufacturing shall be limited to a maximum of 275m<sup>2</sup>.







TREE BREWING CO.



DESIGNED BY: [Signature]  
DATE: JULY 4, 2011

UPPER FLOOR PLAN

SCALE: AS NOTED | DRAWING NUMBER: | REVISION:



# Tree Brewing Company

Kelowna BC

*"It's Not All About Wine"*

September 2012



# Overview

- Tree Brewing Company History
- Craft Beer Consumer
- Project DJ
- Summary



# Tree Brewing Co. - History

Our story began in 1996...to share our passion for Great Tasting Beer...

- Tree Brewing is *an award winning* Craft Brewery. Each of our beers are handcrafted in our Boutique Brewery, located in beautiful Kelowna, British Columbia.
- Our German trained Brew Master uses only the finest Malt, Hops, Yeast and Water to produce our un-pasteurized beer.
- We produce 8 different brands/ styles of beer satisfying the taste buds of the discriminating craft beer consumer.
- We actively support the community from which we live, work and play, from sponsorships and charitable donations

Over 15 years later our story continues...so does our passion for Great

Tasting Beer!



**TREE** BREWING CO.  
Brewed in Kelowna BC

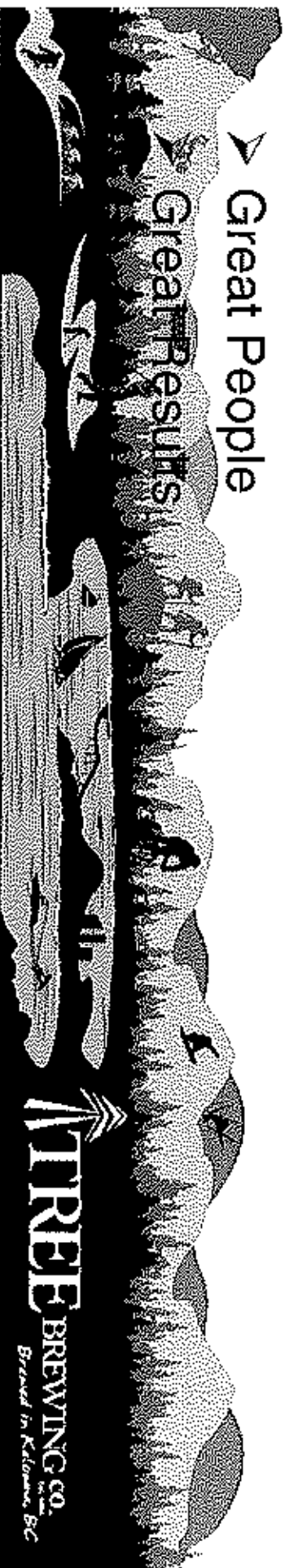
# Tree Brewing Co. - Today

## Mission:

- To build and grow Tree Brewing Company into a great craft beer company. We will delight craft consumers with our award winning, flavourful, handcrafted all natural beers. Customers will be won, one at time...while we don't take ourselves seriously, we take what we do very seriously

## A great craft brewery is defined by:

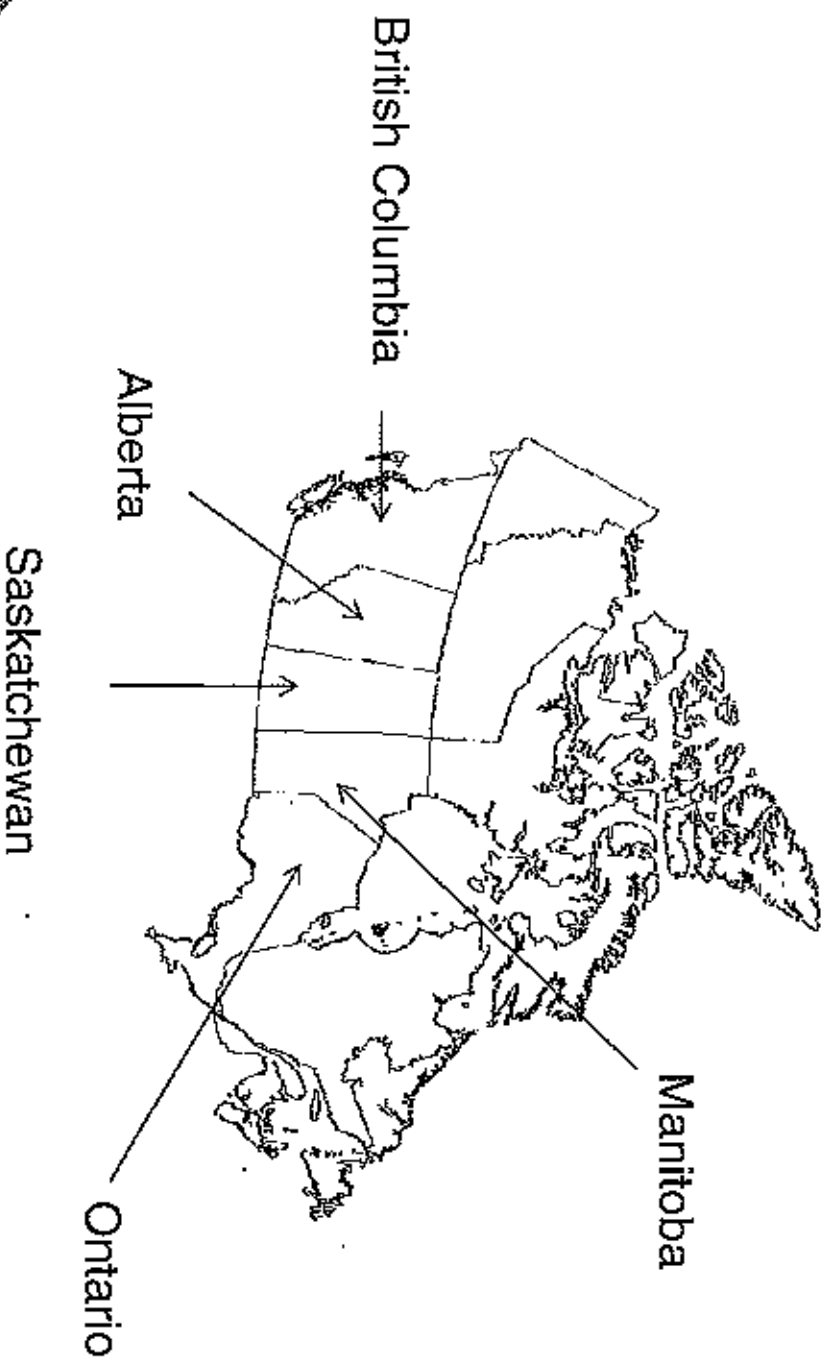
- Great Brands
- Great People
- Great Results



## Tree Brewing Is Distributed In 5 Provinces

Canada's first 50th Anniversary

12-07-20 11:02 AM



# Craft Beer...



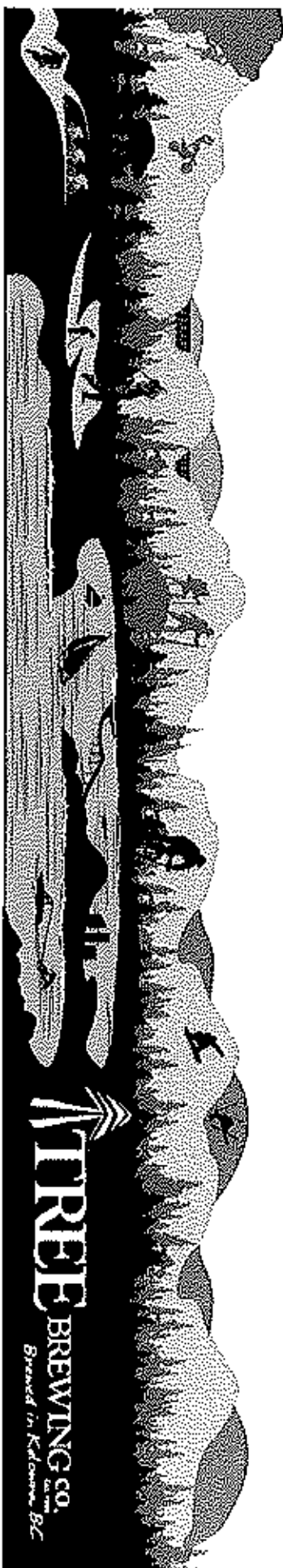
# Craft Beer...A Growing Segment

- Craft beer is the fastest growing segment in North America
  - >12% annual growth rate
- Consumers are looking for new beer experience
  - Unique / high quality brews
  - Fresh, natural, unpasteurized
  - Local products
  - Innovative Beer styles / types
- Consumers willing to pay more for high quality craft beers
- Educated

} Tree's consumer  
Is a natural fit  
For the Delta Brand



# 'Project DJ'





# Why Project DJ?

- Marketing investment in our home market... Brewery (1083 Richter) will be focused on tours while DJ will bring the experience of Craft beer to consumers
- Capitalize on boardwalk traffic to drive traffic and awareness to Tree brand
- Unique concept / experience
- Natural brand fit with Tree, Delta and Tourism Okanagan



**TREE** BREWING CO.  
Brewed in Kelowna, BC

# Project DJ

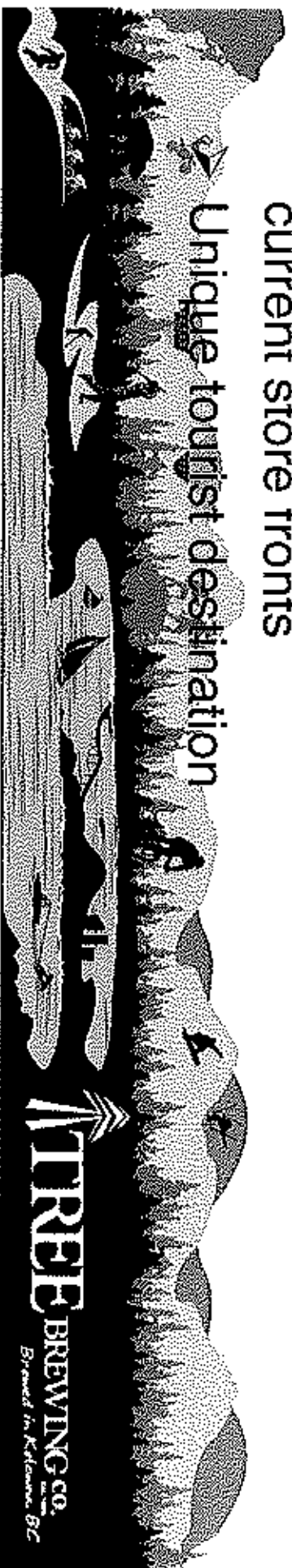
## Vision:

- Develop a 'Destination Beer Experience'...our winery
- Beer centric...quality, authentic, educational and fun

## Objective:

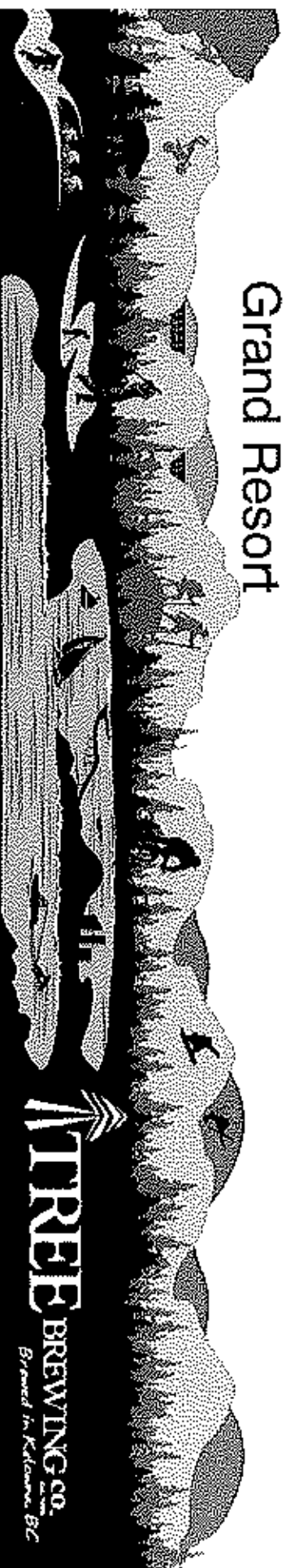
- Transform the old DJ location into 'Tree Brewing Company's Beer Institute'
- Unique experience for consumers to taste, learn about Tree Brewing beers and the art of Craft Brewing
- Complimentary destination area to Delta Hotel and current store fronts

Unique tourist destination



# Project DJ

- Institute would include:
  - Experimental brewery (brew new / current products)
  - Public / private tasting area
  - Merchandise area
  - Off-site sales (current regulations would restrict sales of product brewed on site only)
  - Beer and Food pairings... food supplied by Delta Grand Resort



# Marketing Plan Summary

Beer & Food

Brew-master Dinners, Beer Sauces

Promotional  
Properties

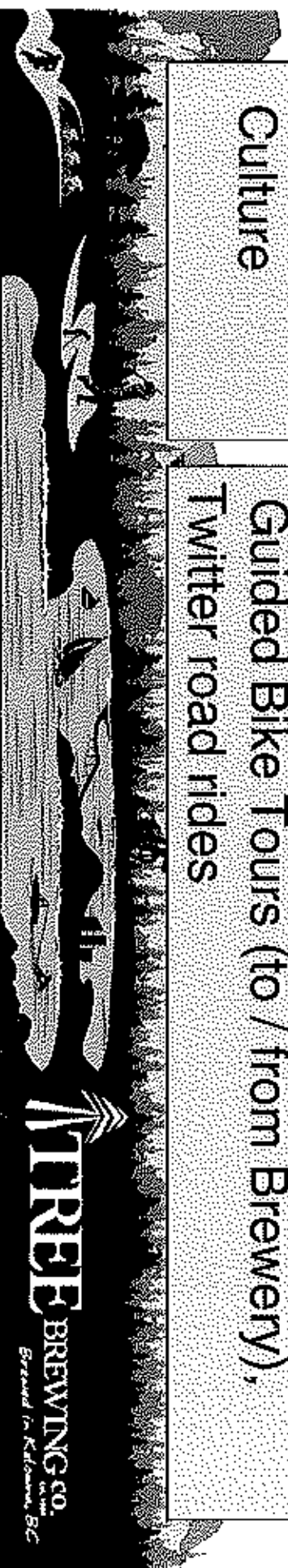
Craft Beer Month, Wine Festivals, Canada  
Day, Cask Nights, Charitable Events, Wine  
Ale & Spirit Trails

Beer

New Product and SKU Launches

Culture

Guided Bike Tours (to / from Brewery),  
Twitter road rides



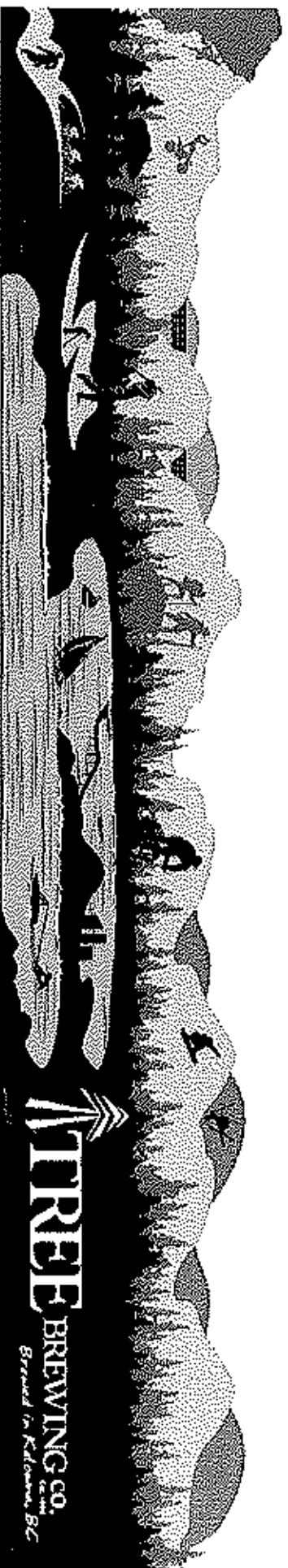
## Tree Brewing Co. and Delta Hotels

- Cross promotion opportunities between brands...
- Retail – Case inserts, Branded trip giveaway
- Brew-master dinner featuring Delta Hotel Chef(s)
- Leverage beer institute as unique experience for Delta hotel guests
- Other opportunities to be discussed



## Economic Impact

- Capital improvements - \$300,000 - \$400,000
- Job creation — minimum 10
- Unique tourism destination for Kelowna
  - First in British Columbia
  - Expand Wine, Ale and Spirit Trail



# Summary

- Project DJ is a marketing extension to the Tree trademark in our home market
- Project DJ will be a unique concept / experience for Kelowna residents and visitors
- Project DJ is a great brand fit with the Delta Property
- Project DJ has strong financial backing



# REPORT TO COUNCIL



**Date:** January 16, 2013

**RIM No.** 1250-30

**To:** City Manager

**From:** Land Use Management, Community Sustainability (BD)

**Application:** Z12-0071

**Owner:** 0796838 BC Ltd., BC0796838

**Address:** 1789 KLO Road

**Applicant:** Vinosity Ventures Inc.

**Subject:** Rezoning Application

**Existing OCP Designation:** Commercial

**Existing Zone:** C2- Neighbourhood Commercial

**Proposed Zone:** C2rls - Neighbourhood Commercial (Retail Liquor Sales)

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## 1.0 Recommendation

THAT Rezoning Application No. Z12-0071 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 2, D.L. 131, ODYD, Strata Plan EPS1034, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V, located on 1789 KLO Road, Kelowna, BC, from the C2- Neighbourhood Commercial zone to the C2rls - Neighbourhood 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 from the C2 - Neighbourhood Commercial zone to the C2rls- Neighbourhood Commercial (Retail Liquor Sales) to facilitate a retail liquor store in an existing commercial unit on the subject property.

## 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 given that the closest private liquor store is located at Liquids Liquor Store 2.4 km away.

The Land Use Management Department recommends that the rezoning be supported given that the newly developed site meets parking requirements, no traffic concerns were identified, and no negative impacts from the relocation are anticipated.

#### 4.0 Proposal

##### 4.1 Project Description

The applicant is proposing to relocate an existing private liquor store to the subject property. A two storey commercial building is being constructed on the site which initially anticipated commercial/office uses for both floors. Two one-bedroom residential units are located on the second floor.

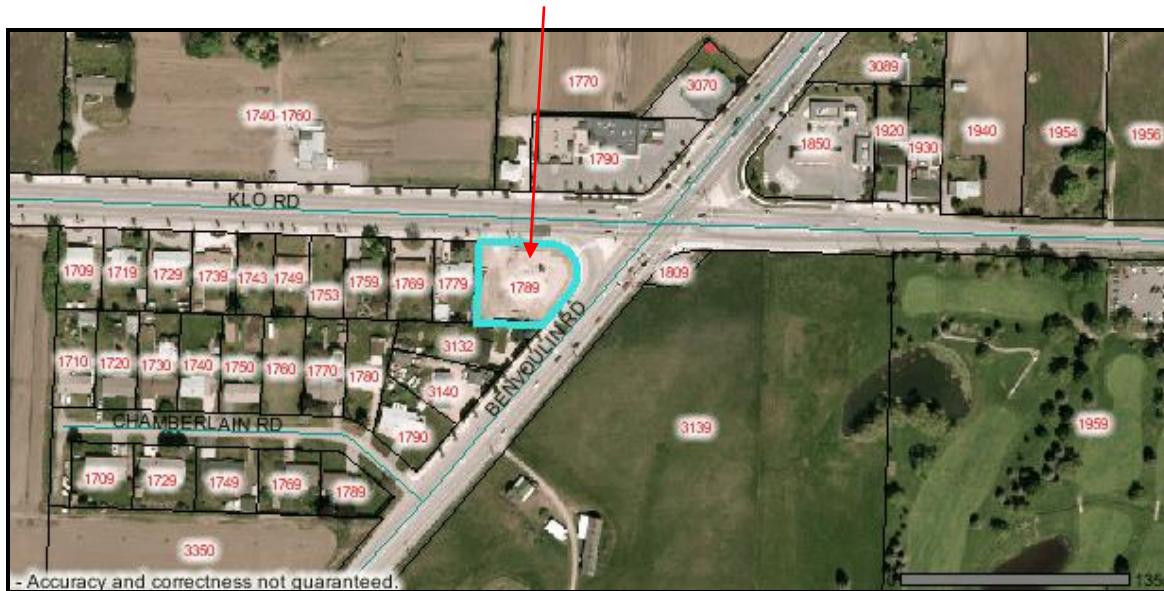
“The Crossings Liquor Store” is proposed in the lower southwest corner of the building occupying 28% of the gross floor area confirming the use as secondary to other principal uses. The Zoning Bylaw No. 8000, requires a rezoning to add the “rls” (Retail Liquor Sales) designation to the existing zone to permit liquor stores.

##### 4.2 Site Context

The subject property is located on the corner of K.L.O. Road and Benvoulin Road in Pandosy - KLO sector of Kelowna. The surrounding properties are zoned as follows:

Direction	Zone
North	C10 - Service Commercial A1 - Agriculture 1
West	A1 - Agriculture 1 (residential properties)
East	A1 - Agriculture 1 (farm use)
South	A1 - Agriculture 1 (residential properties and farm use across Benvoulin)

#### 4.3 Subject Property Map: 1789 KLO Road



#### 4.4 Zoning Analysis Table

The proposed application meets the requirements of C2rls- Neighbourhood Commercial (Retail Liquor Sales) zone as follows:

Zoning Analysis Table		
CRITERIA	C2RLS ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	2,481.8m <sup>2</sup> /0.2481ha.	Minimum: 1500 m <sup>2</sup> Maximum: 1.0 ha.
Lot Width	Average ~ 46 m	40 m
Lot Depth	47.438 m	30 m
Development Regulations		
Size	No restriction	240.8m <sup>2</sup>
Floor area Ratio (% of space proposed for Retail Liquor Sales [RLS])		Total GFA: Commercial: 743.7 m <sup>2</sup> and Residential: 121 m <sup>2</sup> for a total: 864.7 m <sup>2</sup>  Retail Liquor Sales: 28% of total floor area 32% of Commercial floor area
Minimum Parking Requirements	For GFA greater than 200 m <sup>2</sup> 3.0 per 100 m <sup>2</sup> GFA therefore total spaces required: 8	32 spaces (19% small car) provided in total.  8 spaces allocated to the RLS

## 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

### 6.1 Building & Permitting Department

No comments.

### 6.2 Development Engineering Department

Development Engineering servicing requirements were dealt with as part of DP11-0064 for this commercial development. This rezoning to accommodate a licence retail store for liquor sales does not compromise any municipal services.

### 6.3 RCMP

The RCMP have no concerns or comments related to his application.

## 7.0 Application Chronology

Date of Application Received: December 13, 2012

**Report prepared by:**

\_\_\_\_\_  
Birte Decloux, Land Use Planner

**Reviewed by:**

☐

Todd Cashin, Manager, Land Use

**Approved for Inclusion:**

☐

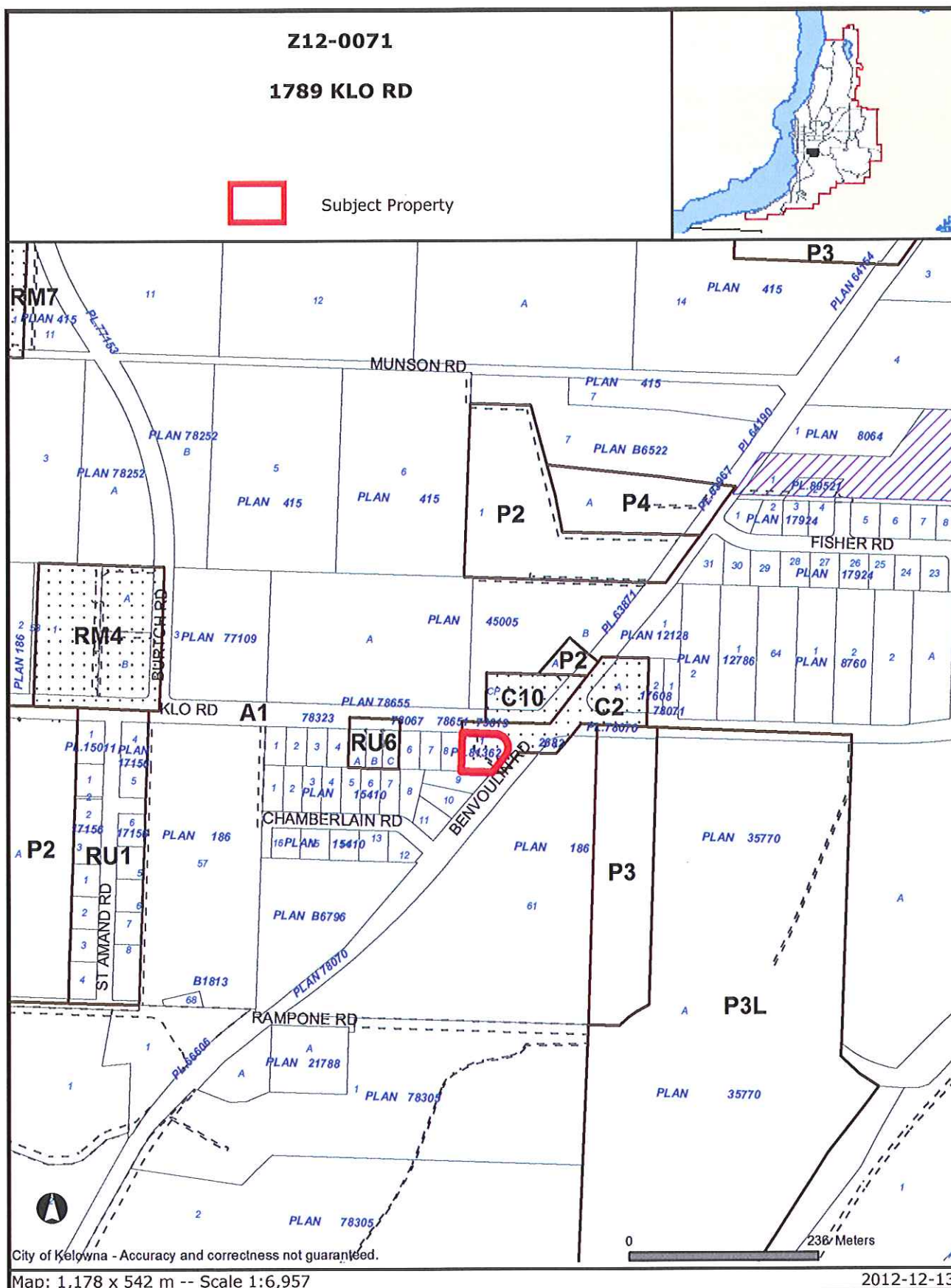
Doug Gilchrist, Acting General Manager, Community Sustainability

### Attachments:

Subject Property Map

Site Plan

Floor Plan



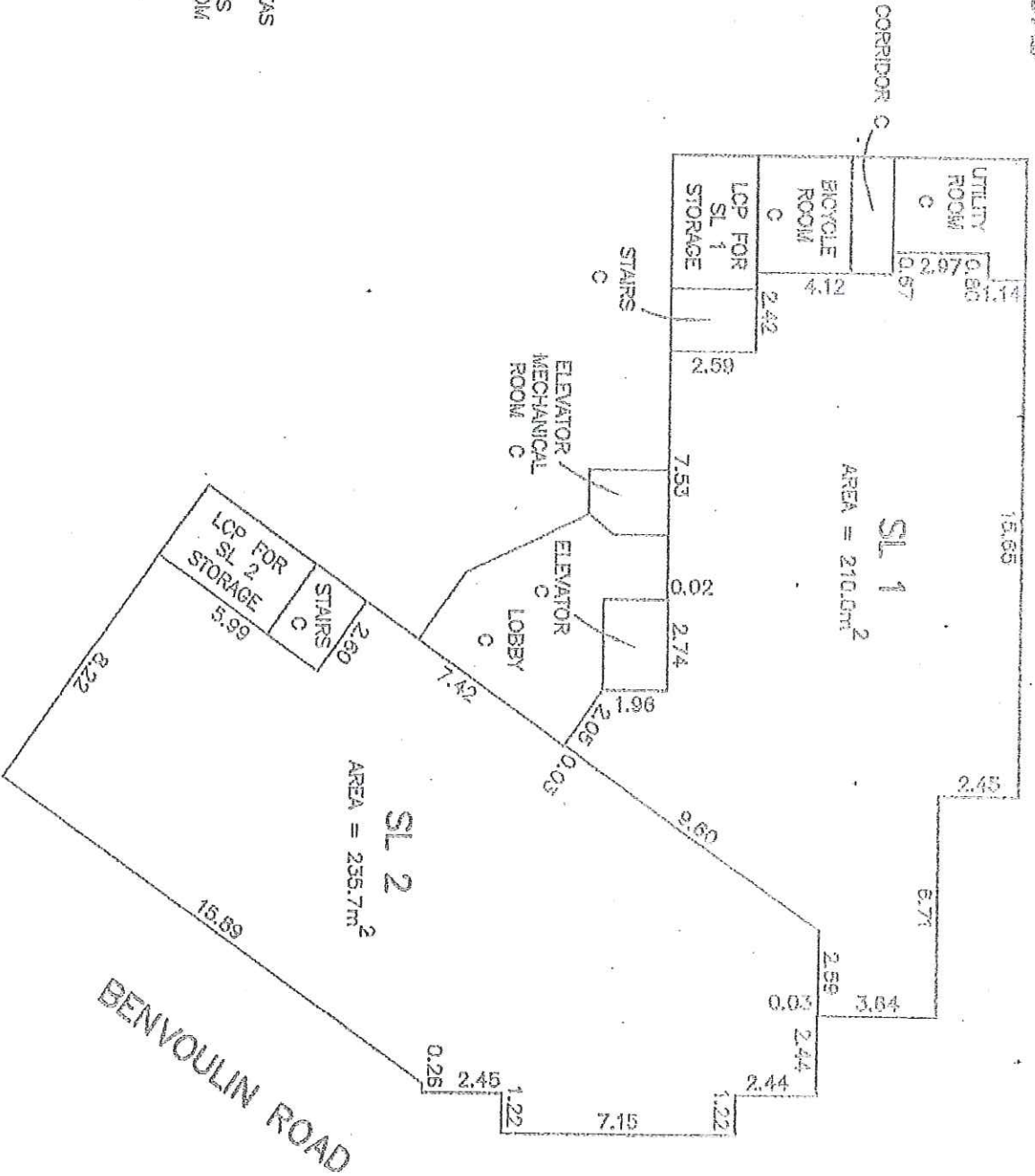
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.



MAIN FLOOR  
1789 KLO ROAD

KLO ROAD

DISCLOSURE STRATA PLAN EP310  
SHEET 1 OF 2 SHEETS



NOTE:  
DIMENSIONS AND AREAS  
ARE DERIVED FROM  
ARCHITECTURAL PLANS  
AND MAY DIFFER FROM  
FINAL STRATA PLANS

MAIN FLOOR DISCLOSURE PLAN ON LOT 1, DISTRICT LOT 131, PLAN  
KAP81362, OD1D

SL DENOTES STRATA LOT  
C DENOTES COMMON PROPERTY  
LCP DENOTES LIMITED COMMON PROPERTY

CLIENT: SERANI BROS. CONTRACTORS

DATE: OCTOBER 11, 2012

SCALE: 1:200 METRES

FILE: 17558

Ferguson Land Surveying & Geomatics Ltd.  
B.C. AND CANADA LAND SURVEYORS  
404-1630 PANDOSY STREET, KILGOMNA B.C. V7Y 1P7  
TELEPHONE: (250) 763-3115 FAX: (250) 763-0321

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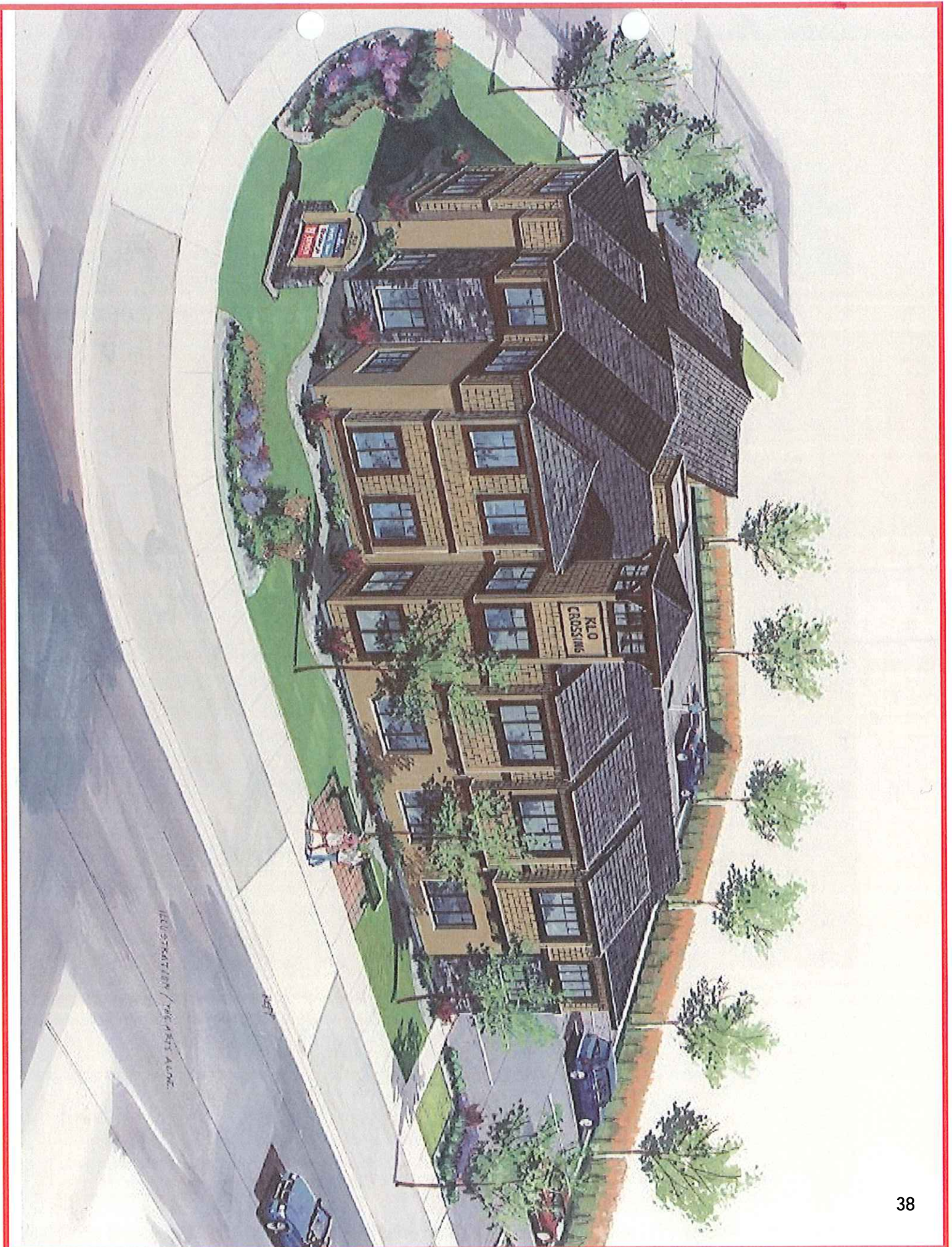


ILLUSTRATION / TOWNHOMES