

REPORT TO COUNCIL



Date: April 24, 2017

RIM No. 1250-04

To: City Manager

From: Community Planning Department (RR)

Application: TA17-0006

Owner: Various

Address: 1920-1936 Summit

Applicant: Kent Macpherson

Subject: Zoning Bylaw Text Amendment

Existing OCP Designation: COMM - Commercial

Existing Zone: CD3 – Comprehensive Development

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA17-0006 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated April 24, 2017 for Lot C, Sec. 29, Twp. 26, ODYD Plan EPP54061 located at 1920-1936 Summit Drive be considered by Council;

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

2.0 Purpose To consider a proposed text amendment to allow a limited amount of retail liquor sales in the CD3 zone.

3.0 Community Planning

Community Planning staff support the proposed bylaw amendment. The CD3 zone only applies to a single property at the corner of Glenmore and Summit, which has been partially developed with a commercial plaza. The amendments would be limited in scope, allowing liquor to be sold from a single building.

The site and its location is appropriate for a small scale local liquor store. There are no nearby liquor stores, with the closest, Brandt's Creek Liquor Store, located 1.75 km away. The site is within walking distance of more than 200 single dwelling residential units, as well as the 600 current and proposed units on the former Conservatory site. The presence of the small retail liquor store will reduce the need for nearby residents to drive to other neighbourhoods.

The proposal complies with the relevant requirements of Kelowna Liquor Licensing Liquor License Policy and Procedures.

Because of the limited size of the liquor store, only 185 m² (2,000 sq. ft), staff do not expect any negative impacts.

4.0 Proposal

4.1 Background

In October of 2015, Council approved DP15-0161, allowing the development of a commercial plaza at the south end of the property commonly known as The Conservatory. Since that approval, the developer has constructed 4 of the 5 buildings proposed for the site, and is preparing to construct the 5th.

Council has also approved DP16-0081, which would allow the construction of an 87 unit rental apartment building directly north of the commercial plaza. Council has further approved the issuance of DP17-0017, which would allow the construction of a 166 unit rental building. Both of these buildings will be started in spring of 2017.

During the initial development of the commercial plaza, staff did not support including retail liquor sales in the zone for the property, as it would have allowed liquor sales to occupy a prominent or dominant portion of the site. Now that the project is largely complete, and there is an assurance that liquor sales will only be located in a small building at the centre of the site, staff are no longer concerned about liquor sales dominating the project.

4.2 Project Description

The applicant has requested a text amendment allowing retail liquor sales on a limited area of the property. Specifically, the applicant has requested that the central building on the site be allowed to operate as a retail liquor store.

The proposed text amendment would allow Retail Liquor Sales as a use in the CD3 zone, with a restriction that no more than 185 m² (2,000 sq. ft) of floorspace be used for liquor sales. This would limit liquor sales to the central building, and require that any other liquor based uses first receive council approval.



4.3 Site Context

The subject property is centrally located in the Glenmore neighbourhood, within walking distance of large numbers of single family homes and a number of multi-family developments. The nearest liquor store is the Brandt's Creek Liquor Store, approximately 1.75 km to the north.

The liquor sales outlet would be located in a building at the centre of the commercial site, with extensive parking surrounding it.



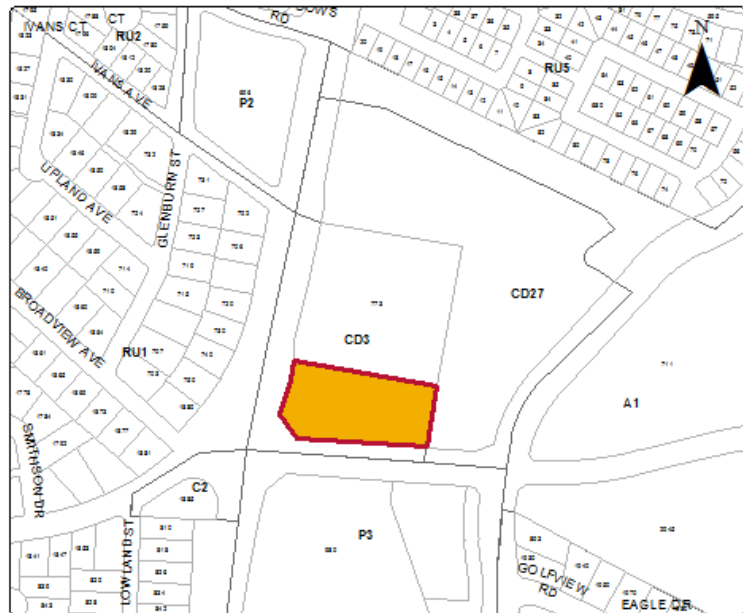
Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD3 – Comprehensive Development	Multi-Family Rental Building
East	CD27 – Comprehensive Development	Vacant (Future Multi-Family)
South	P3 – Major Park	Golf Course
West	RU1 – Large Lot Residential	Single Dwelling Residential

Subject Property Map:



CONTEXT



NEIGHBOURING ZONING



SUBJECT PROPERTY

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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 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.

5.2 Liquor License Policy and Procedures 359

C. RETAIL LIQUOR SALES (RLS)

The following considerations should be made for the location of liquor stores/retail liquor sales (RLS):

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

6.o Application Chronology

Date of Application Received: February 27, 2017

Report prepared by: Ryan Roycroft, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Bylaw amendments table