

REPORT TO COUNCIL



Date: December 7, 2015

RIM No. 1250-30

To: City Manager

From: Community Planning Department (RR)

Application: Z15-0051 **Owner:** 0954654 BC Ltd., Inc. No. BC0954654

Address: 988 Frost Road **Applicant:** 0954654 BC Ltd.

Subject: Rezoning Application

Existing OCP Designation: COMM - Commercial

Existing Zone: C3 - Community Commercial

Proposed Zone: C3rls - Community Commercial (Retail Liquor Sales)

1.0 Recommendation

THAT Rezoning Application No. Z15-0051 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, District Lot 579, Similkameen Division Yale District, Plan EPP29197 located at 988 Frost Road, Kelowna, BC from the C3 - Community Commercial zone to the C3rls - Community Commercial (Retail Liquor Sales) zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

2.0 Purpose

To rezone the subject property to facilitate potential development of retail liquor sales on the subject property.

3.0 Community Planning

Community Planning Staff recommends support for the proposed rezoning of the subject property to facilitate future retail liquor sales as part of the South Gordon Village Centre. This area will become a neighbourhood commercial hub for this part of the Upper Mission through the development of The Ponds. The proposal meets the intent of Council Policy No. 359 regarding the siting of retail liquor sales establishments and there are no liquor primary establishments in the area.

The nearest property currently zoned for retail liquor sales is the Hotel Eldorado, located at 500 Cook Road in the Lower Mission. The Hotel Eldorado is just over 4.5 km away from the subject property with a driving distance of approximately 6.5 km.

Allowing for retail liquor sales in the South Gordon Village Centre adds to the retail and commercial uses that will serve residents of this area.

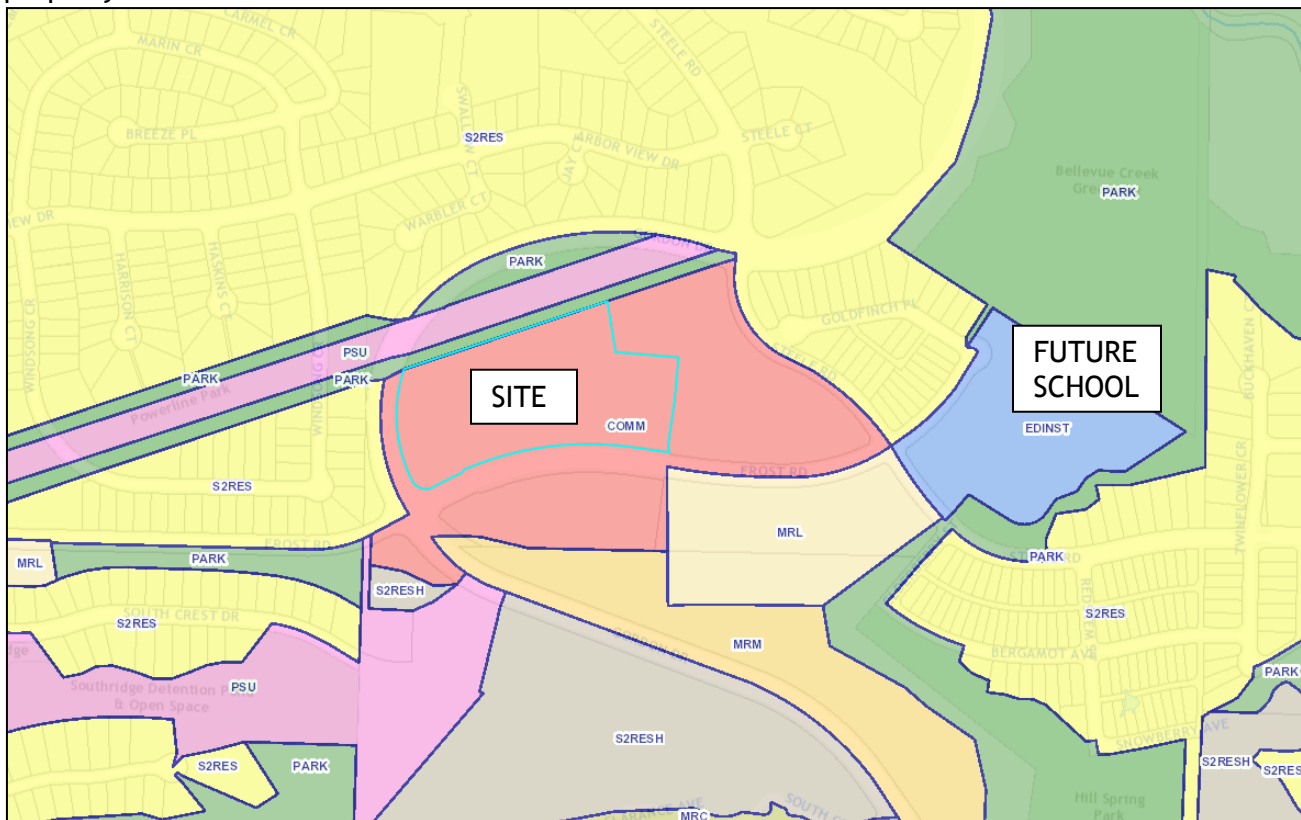
A new middle school is proposed east of the intersection of Frost Road and Steele Road at 1211 Frost Road. At their nearest points, the school property is approximately 400 m away from the subject property. Retail liquor sales establishments must follow the regulations of the Liquor Control and Licensing Branch; therefore, Staff do not have significant concerns with the proximity of these properties.

Per Council Policy No. 367, the applicant completed neighbourhood consultation by delivering information to neighbours within 50 m of the site. Most of the neighbouring properties are corporate owners, with the City also owning land in the area.

4.0 Proposal

4.1 Project Description

As part of The Ponds development in the Upper Mission, the South Gordon Village Centre will serve a large residential area of single dwelling and low density multiple unit housing, much of which is still being developed. The Village Centre is not yet under development and is expected to proceed following the construction of South Perimeter Road, which will connect to the extension of Gordon Drive at its southern terminus approximately 1.5 km south of the subject property.



There are four properties currently zoned and designated for commercial use within the Village Centre. The total area of these properties is 6.9 ha (17.1 ac) and the subject property is the largest of these at 3.0 ha (7.4 ac). The applicant's intent is to rezone the property to allow for

the possibility of retail liquor sales in the future development of the site, serving the surrounding residential areas.

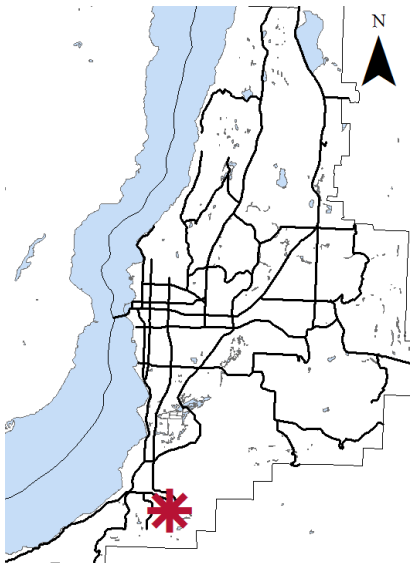
4.2 Site Context

The subject property is located at the northeast corner of the intersection of Gordon Drive and Frost Road in the City's Southwest Mission Sector, within the Permanent Growth Boundary. It is part of The Ponds development and forms the central part of the South Gordon Village Centre.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 - Parks and Open Space	Public parks
East	C3 - Community Commercial	Vacant land
South	C3 - Community Commercial	Vacant land
West	RU1 - Large Lot Housing	Single dwelling housing

Subject Property Map



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Village Centre (Neighbourhood 3 / South Gordon).¹ A cluster of small-scale, residential, retail, and office uses, which provide for convenience needs of area residents. Village Centres are located along an arterial or collector road and would typically be located more than two kilometres from other City or Town Centre commercial facilities. The total commercial component of such a centre is no larger than 15,000 m². One "anchor" may account for up to 30% of the total floor space, but individual stores would typically be a maximum of 140 m² (restaurants might be slightly larger). Density will decrease as the distance from the core increases.

¹ City of Kelowna Official Community Plan, (Definitions Chapter).

5.2 Liquor Licensing Policy & Procedures²

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.

5.3 Neighbourhood Consultation

The applicant has consulted with neighbours in accordance with Council Policy #367. The applicant indicated that there were no objections, and that there was general enthusiasm for seeing commercial development on the site.

6.0 Technical Comments

6.1 RCMP

- The RCMP are not opposed to this rezoning application.

6.2 School District No. 23

- The subject property is approximately 400 m to 500 m from the proposed middle school at the intersection of Steele Road and Frost Road.

7.0 Application Chronology

Date of Application Received: September 28, 2015

Date Public Consultation Completed: November 16, 2015

Report prepared by:

Ryan Roycroft, Planner

Reviewed by:

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Terry Barton, Urban Planning Manager

Approved for Inclusion:

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Ryan Smith, Community Planning Department Manager

² City of Kelowna Council Policy No. 359.