

# REPORT TO COUNCIL



**Date:** December 4, 2018

**RIM No.** 0930-50

**To:** City Manager

**From:** Community Planning Department (LK)

**Application:** LL18-0023

**Owner:** Whitworth Holdings Ltd., Inc.  
No. 1059455

**Address:** 1264 Ellis Street

**Applicant:** Ben Boschman

**Subject:** Liquor License Application

Existing OCP Designation: MXR – Mixed Use (Residential)

Existing Zone: C1oLP – Service Commercial (Liquor Primary)

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## 1.0 Recommendation

THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 71 of the *Liquor Control and Licensing Regulation* and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Ben Boschman for a liquor primary license for Lot 1 District Lot 139 ODYD Plan 660, located at 1264 Ellis Street, Kelowna, BC for a Liquor Primary license with a capacity of 50 persons and hours of sales from 11:00 AM to Midnight, Sunday to Saturday for the following reasons:

2. Council's comments on LCLB's prescribed considerations are as follows:

- a. The location of the establishment:

The proposal will see a long-time vacant space within a heritage building on Ellis Street renovated to accommodate the cooking school within a portion of the second floor space.

- b. The proximity of the establishment to other social or recreational facilities and public buildings:

The surrounding social and recreational facilities would not conflict with the proposed commercial cooking school. The business will add a type of entertainment venue which will support the cultural district in which it is located. The purpose of the cultural district is to develop and to enhance the area as a centre for arts and entertainment, and a catalyst for community and cultural development. The commercial cooking school complements and enhances the entertainment and service value of the neighbourhood.

c. The person capacity and hours of liquor service of the establishment:

The cooking school has a total capacity of 56 persons (Classroom 1 -26 persons, Classroom 2 – 30 persons). Hours of operation will be between 11 am – 11 pm (Sunday -Saturday).

d. The number and market focus or clientele of liquor-primary license establishments within a reasonable distance of the proposed location:

The subject property is within the Cultural District with both Prospera Place and the Casino located to the west of the building and the Laurel Packing House is to the south. There are a number of restaurant, pubs and coffee shops within the immediate area.

The Commercial Cooking School will provide a form of entertainment missing in the downtown core. Kelowna has a growing food, winery, brewery and cidery culture. This business is intended to complement these uses by showcasing locally grown and produced products in the cooking classes.

e. The impact of noise on the community in the immediate vicinity of the establishment:

The potential impact for noise is minimal and would be compatible with surrounding land uses. The noise levels would not increase for the surrounding area as the proposed business has a relatively low occupancy and is adjacent to a number of existing entertainment venues which includes: Prospera Place, Playtime Casino, the Laurel Packinghouse, BNA Brewpub and the Train Station Pub.

f. The impact on the community if the application is approved:

The potential for negative impacts is considered minimal as the proposed business is within the Cultural District, which encourages arts and entertainment within the area.

AND THAT Council's comments on the views of residents are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures."

## **2.0 Purpose**

To consider a Liquor Primary license for a new commercial school (cooking school).

## **3.0 Community Planning**

Community Planning Staff supports the requested Liquor Primary license for the proposed cooking school. The proposal will add a new form of entertainment venue to the Kelowna Cultural District.

## **4.0 Proposal**

### **4.1 Background**

An application has been forwarded by the licensee to the Provincial Liquor Control and Licensing Branch (LCLB) for their approval. Procedurally, these applications need Local Government comment prior to the LCLB making a final decision:

- New liquor primary licensed establishments

#### 4.2 Project Description

The Lakehouse Home Store opened its door in December 2011 at the corner of Bernard Avenue and Ellis Street. A unique part of the business has been to offer in-store cooking demonstrations with guest chefs, product demonstrations and book signings. Since opening, the owners realized there was a significant demand for cooking classes, but due to the limited space within the existing retail store, it does not provide a suitable location to meet this need.

The owners have decided to open a second location within the Heritage Building known as Cannery Row on Ellis Street between Cawston and Clement Avenues. The business will occupy the first two floors within the building with the primary focus to provide a furniture and home décor showroom. A separate portion of the second floor space will be utilized for a cooking school. The cooking school will offer two types of classes (demonstration-style and participation-style).

The demonstration-style classroom is designed to allow the participants to sit back and watch the Instructor Chef prepare various dishes. This design calls for over-head mirror placement to allow the students to view the chef's techniques. The participation-style classroom is designed to be hands-on. This is a larger room set-up much like a university lab with multiple stations which allows the Instructor Chef to move around the room providing guidance. Both of these class types would allow the participant to enjoy an alcoholic beverage along with the completed dishes.

To start out, classes will be conducted between 6-8 pm (outside of the retail store hours) on Friday and Saturday evenings. Additional class times would be added if there is sufficient demand and the program is successful.



#### **Proposed Hours for Lakehouse Cooking School:**

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM
Close	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM

#### **Lakehouse Cooking School:**

Licensed Area	Net Floor Area	Proposed Capacity
Classroom 1 - Demonstration	57.5 m <sup>2</sup>	26 persons
Classroom 2 – Hands-on	104.4 m <sup>2</sup>	30 persons
Total Capacity	161.9 m <sup>2</sup>	56 persons*

\*The proposed capacity is based on preliminary floor plans, which are subject to approval by the Building & Permitting Branch and the LCLB.

#### 4.3 Site Context

The subject property is located on Ellis Street, to the east of Prospera Place, within the Cultural District.

**Subject Property Map: 1264 Ellis Street**



#### 5.0 Current Development Policies

##### 5.1 Kelowna Official Community Plan (OCP)

##### Development Process

**Entertainment Venues.**<sup>1</sup> Within designated Urban Centres, encourage private-sector provision of facilities which diversify the selection of venues and entertainment opportunities throughout the city.

#### 6.0 Application Chronology

Date of Application Received: September 21, 2018

**Report prepared by:** Lydia Korolchuk, Planner

**Reviewed by:** Terry Barton, Urban Planning Manager

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

Attachment A: Occupant Load Drawing

Attachment B: Applicants Letter of Intent

<sup>1</sup> Policy 5.17.1 (Development Process Chapter 5, page 5.21)