

(b) The impact on the community if the application is approved:

The potential for negative impacts is considered to be minimal.

(c) It is unlikely that the change in hours may result in the establishment being operated contrary to its primary purpose.

The 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 seek Council's support for a permanent change in hours of operation for a Liquor Primary License and a Food Primary License (which includes a patron participation entertainment endorsement).

3.0 Community Planning

This application to open earlier in the day represents a minor change to the establishment. Opening earlier in the day will have the potential to activate the space during the day when the facility would be otherwise closed and vacant. Opening earlier in the day does not create the same enforcement and policing issues that occur with later closings.

The proposed Patron Participation Entertainment endorsement would allow the venue to hold special events, such as "wine and dine", or "New Year's Eve celebrations" where patrons would typically participate in some form of entertainment. This endorsement is not anticipated to have a negative impact on the surrounding area given the location.

The proposed licensed hours of operation to remain open until 2:00am is also not perceived to have negative effects on the surrounding area given the location within the Hotel.

In consideration of the above, the Community Planning Department recommends support for the proposed license endorsement. Discussion on the LCLB's regulatory criteria for Local Government comment on liquor license endorsement applications is as contained within Staff's recommendation at the beginning of this report.

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, all these applications need Local Government comment prior to the LCLB making a final decision:

- Permanent changes to the hours of operation for liquor primary licensed establishments;
- Food Primary licenses closing after midnight; and
- Patron Participation Entertainment endorsement.

4.2 Project Description

Existing Hours of Sale for Vines Lounge (Liquor Primary License # 148683):

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM
Close	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	Midnight

Proposed Hours of Sale for Vines Lounge (Liquor Primary License # 148683):

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM

Existing Hours of Sale for Grand Bay Cafe (Food Primary License # 148264):

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM
Close	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	Midnight

Proposed Hours of Sale for Grand Bay Cafe (Food Primary License # 148264):

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
Close	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM

The Food Primary establishment is designed with an occupancy load of 93 persons for the interior locations, and a maximum occupant load of 24 persons for the exterior patio area. The Liquor Primary area is split into four different areas and is designed with a total occupancy load of 1,763 persons for the interior locations, and a maximum total occupant load of 391 persons for the exterior patio area.

This application proposes to extend the opening and closing hours for both the Liquor Primary license and the Food Primary license.

4.3 Site Context

The subject property is located downtown. The nearest Liquor Primary establishment would be Lake City Casinos, which is within the same building.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 - Parks and Open Space	Park
East	CD5 - Multi-Purpose Facility C7 - Central Business Commercial P1 - Major Institutional	Prospera Arena Art Gallery Provincial Court
South	P3 - Parks and Open Space P1 - Major Institutional	Park Yacht Club / Cactus Club Cafe
West	P3 - Parks and Open Space	Park / Okanagan lake

Subject Property Map: 1310-1352 Water St.



5.0 Current Development Policies

5.1 Council Policy #359 - Liquor Licensing Policy and Procedures

The following sections of Policy #359 are applicable to this application;

Where appropriate, support alternative entertainment options, and/or establishments which are less focused on alcohol consumption (including event-driven establishments, and Food Primary establishments with the Patron Participation Entertainment Endorsement) to add a mix of entertainment options in Urban Centres. Consider limiting potential community impacts via license terms and conditions (hours, capacity, etc).

The proposed change in hours of sale will not contravene any guidelines within this policy.

5.2 Kelowna Official Community Plan (OCP)

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

Downtown.² The City of Kelowna recognizes that a unique, attractive, thriving and liveable downtown is strategically important to Kelowna's overall prosperity and success.

¹ Policy 5.17.1 (Development Process Chapter 5, page 5.21)

² Policy 8.9.2 (Economic Development Chapter 8, page 8.4)

Towards this end, the City will plan and manage the Downtown as a single and special entity and will take a proactive, comprehensive, integrated and collaborative approach towards providing services and infrastructure, delivering programs, and developing a supportive regulatory and financial environment.

6.0 Technical Comments

6.1 Building & Permitting Department

No Comment

6.2 Bylaw Services

No Concerns

6.3 Fire Department

No Objections

6.4 R.C.M.P

The RCMP are not opposed to the changes in hours of liquor service and patron participation endorsement requested by the applicant.

7.0 Application Chronology

Date of Application Received: February 11, 2016

Date RCMP Comments Received: February 12, 2016

Report prepared by:

Adam Cseke, Urban Planner

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for Inclusion:

Ryan Smith, Community Planning Department Manager

Attachments:

Subject Property Map

Rationale Letter

LCLB Application