

# REPORT TO COUNCIL



**Date:** January 29, 2019

**RIM No.** 0930-50

**To:** City Manager

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

**Application:** LL18-0033

**Owner:** 0984342 B.C. LTD., INC.NO.  
BC0984342 – Rise Management

**Address:** 3477 Lakeshore Rd

**Applicant:** Shoreline Brewing Co. Inc. -  
Valerie Anne Jones

**Subject:** Liquor License

Existing OCP Designation: MXR – Mixed Use

Existing Zone: C4 – Urban Centre Commercial

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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 Shoreline Brewing Co. Inc. located at 3477 Lakeshore Rd, Kelowna, BC, legally described as Lot A, District Lot 134, ODYD, Plan EPP65105, for a manufacturer lounge and special event area endorsement from:
  - (a) "10:00 AM to Midnight Sunday to Saturday" for the interior floor area; and
  - (b) "10:00 AM to 11:00 PM Sunday to Saturday" for the Patio Service Areas.
2. That Council's comments on the prescribed considerations are as follows:
  - (a) The location of the brewery: The brewery is located in an Urban Centre setting along an arterial route and adjacent to a major park;
  - (b) The person capacity of the brewery lounge: The person capacity is 95 persons indoor and 92 persons on the exterior patio;
  - (c) Traffic, noise, parking and zoning: The brewery is located in an Urban Centre and will have minimal negative impact on traffic, noise, parking, and the property is properly zoned. The exception is in regards to the patio. There are residential homes nearby and the noise from the patio could be a nuisance, therefore, the recommendation is to limit the patio's hours to 11:00pm;

- (d) The impact on the community if the application is approved: The potential for negative impact is considered to be minimal;

AND THAT Council's comments on the view 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 to allow a manufacturer lounge and special event area liquor license application for Shoreline Brewing Co to allow patrons to purchase and consume liquor products between the hours of 10:00 AM to Midnight seven days a week but limit the hours to 11:00 PM on the patio with a seating capacity of 95 indoors and 92 on the exterior patio.

## **3.0 Community Planning**

Staff generally support all manufacturer lounge and special event area endorsements in order to permit customers to consume the manufacturer's product onsite. Staff do not foresee any negative land use impact of permitting this type of license with the exception of the patio hours. Staff are recommending, Council endorse the applicant's proposed hours from 10:00am to midnight 7 days a week but limit the outdoor patio hours to a maximum of 11:00pm. The applicant has agreed that limiting the patio hours to 11:00pm is reasonable for the purposes of limiting noise nuisance and being a good neighbour.

The RCMP has also requested the City "establishment of a comprehensive policy to address new liquor primary and manufacturer lounge endorsement license applications. Such a policy would facilitate a consistent, guided responses to applications." Within the new liquor policy review, there would be thresholds for a liquor primary establishment or an establishment that is similar to one to be required to have a certain level of security and patron safety measures in place (e.g Servall). Until such time as the new liquor policy can be established, the RCMP's suggestion on hours of sale is more conservative than Staff's guidelines. In this case, the applicant's proposed hours of sales are not supported by the RCMP mainly due to police resourcing but are supported by Staff. The Official Community Plan (OCP) encourages complete communities and complete suburbs which includes evening entertainment. This establishment will provide the local residents with a walkable neighbourhood setting whereby local residents can frequent and is located within an urban centre.

## **4.0 Proposal**

### **4.1 Background**

An application has been forwarded by the licensee to the Provincial Liquor and Cannabis Regulation Branch for their approval. Procedurally, this type of application needs Local Government comments prior to the Provincial Liquor and Cannabis Regulation Branch making a final decision.

#### 4.2 Project Description

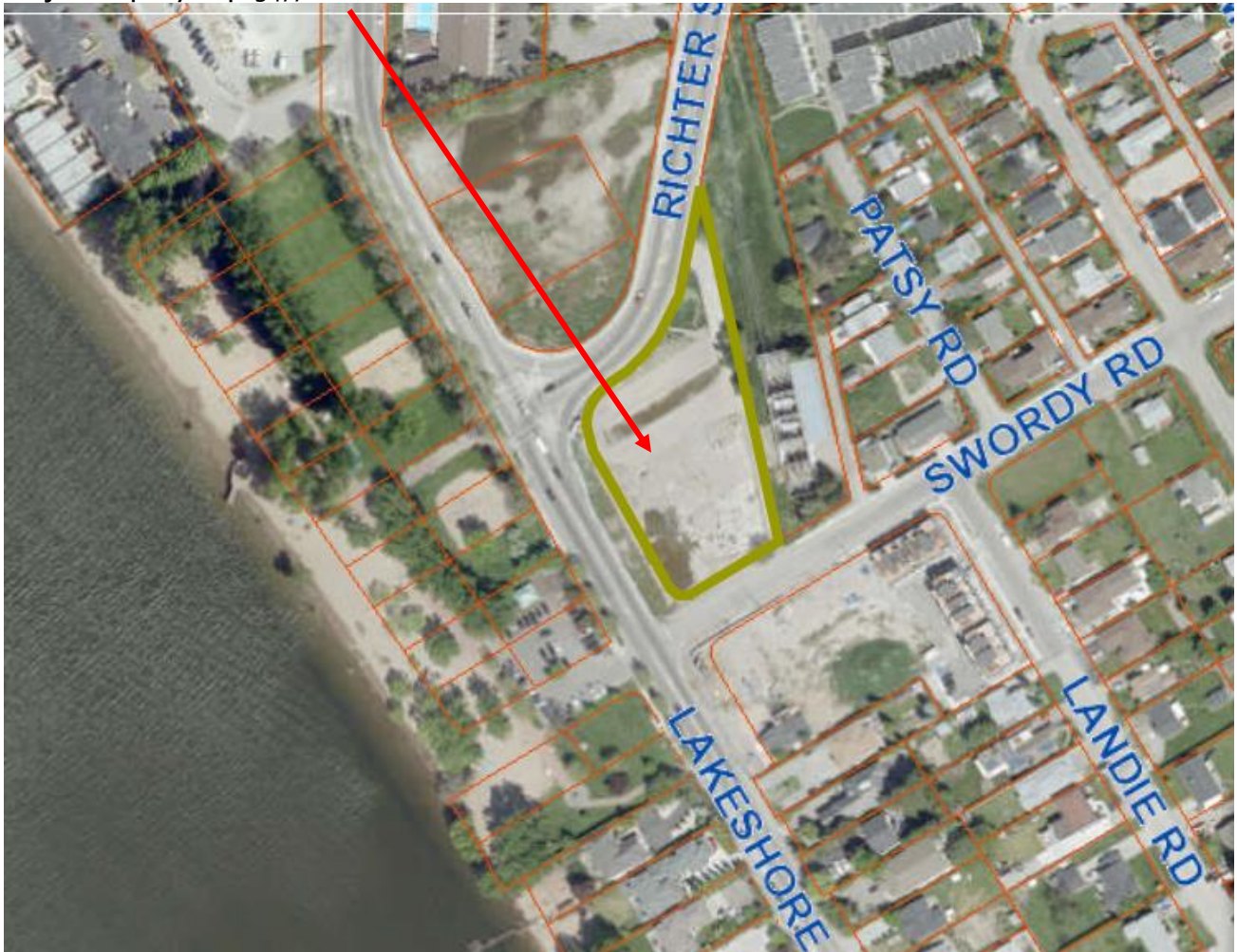
##### Existing Hours of Sale (Lounge and Special Event Area):

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Close	n/a	n/a	n/a	n/a	n/a	n/a	n/a

##### Proposed Hours of Sale (Lounge and Special Event Area):

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am
Close	Interior Space	12:00 am	12:00 am	12:00 am	12:00 am	12:00 am	12:00 am
	Patio	11:00 pm	11:00 pm	11:00 pm	11:00 pm	11:00 pm	11:00 pm

##### Subject Property Map: 3477 Lakeshore Road



## **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:

- 5.2 Small establishments (with person capacity less than 100 persons should not be located beside another liquor primary establishment.
- 5.3 New patios associated with liquor establishments should be located and designed to limit potential impacts on surrounding property owners.

## **6.0 Technical Comments**

### **RCMP**

- The RCMP only supports the application with hours of operation between 10am – 10pm, Sunday to Saturday.

## **7.0 Application Chronology**

Date of Application Received: December 17<sup>th</sup>, 2018

<b>Report Prepared by:</b>	Adam Cseke, Planner Specialist
<b>Reviewed by:</b>	Terry Barton, Urban Planning Manager
<b>Approved for Inclusion:</b>	Ryan Smith, Community Planning Department Manager

### **Attachments:**

Attachment 'A' - Floor Plans