

REPORT TO COUNCIL



Date: August 23, 2016

RIM No. 0930-50

To: City Manager

From: Community Planning Department (RR)

Application: LL16-0002

Owner: 1324632 Alberta Ltd

Address: 1470-1476 Water Street

Applicant: Rising Tide Consultants

Subject: Liquor License

Existing OCP Designation: MXR - Mixed Use Residential

Existing Zone: C7LR - Central Business Commercial - Liquor Retail

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 10 of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

Council recommends support of an application from Rising Tide Consultants for a license amendment for Lot A, DL 139, ODYD, Plan EPP43122 located at 1470-1476 Water Street, Kelowna, BC for the following reasons:

a) The location of the establishment

The location is in a commercial area that is removed from nearby residences and is suitable for a late night entertainment venue where some street noise at closing time can be anticipated.

(b) The proximity of the establishment to other social or recreational facilities and public buildings

The only nearby social, recreational and public buildings do not conflict with the operation of a late night entertainment venue.

(c) The person capacity and hours of liquor service of the establishment

The maximum person capacity is not being amended as part of this application. The later hours of service, from 23:00 to 02:00 are appropriate.

(d) The number and market focus or clientele of liquor-primary licence establishments within a reasonable distance of the proposed location

The existing establishments are large pub style establishments that focus on entertainment or are nightclubs that attract patrons 19 to 25 years of age. The proposed establishment is a local pub style facility with an extensive menu and is designed to appeal primarily to guests at the hotel and their visitors.

(e) The impact of noise on the community in the immediate vicinity of the establishment, and

The site is far removed from any residential areas. There are no noise impacts expected as a consequence of extending hours.

(f) The impact on the community if the application is approved

If the application is approved, the impact is expected to be positive in that it will support the successful operations of a major downtown hotel and continue to draw business and activity to the city's downtown core.

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 amending a Liquor Primary License by changing the hours of operation from 11:00 pm to 02:00 am 7 days/week for a hotel development.

3.0 Community Planning

Community Planning staff support the proposed amendments to Liquor Licenses #007556 and #085435, amending the hours of operation for liquor sales for a future hotel. The anticipated use of the site is as a large hotel, and staff anticipate that the majority of customers availing themselves of liquor services will be hotel guests. These hotel guests will not require taxi cabs or otherwise put pressure on downtown infrastructure when alcohol sales close.

Having late night liquor service within the hotel will reduce the pressure on other downtown establishments from hotel guests.

The RCMP have indicated that they have no concerns with the proposed license amendments.

4.0 Proposal

4.1 Background

The Liquor Licenses under consideration apply to the former Willow Inn Hotel at what is now 1470-76 Water Street. The hotel was demolished several years ago to make way for the future Westcorp Downtown Hotel. The property owners have maintained the liquor license on the site in anticipation of the development of the hotel.

At this time, there are no active liquor sales on the property.

4.2 Project Description

The applicants have applied to amend their liquor license to extend hours of liquor sales on the property.

There is an approved permit for the development of a 206 room conference hotel on the site. It is expected that the project will begin construction in fall 2016. The liquor primary establishment will be part of the conference hotel.

4.3 License Summary

Current Hours of Sale:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am
Close	11:00 pm	11:00 pm	11:00 pm	11:00 pm	11:00 pm	11:00 pm	11:00 pm

Proposed Hours of Sale:

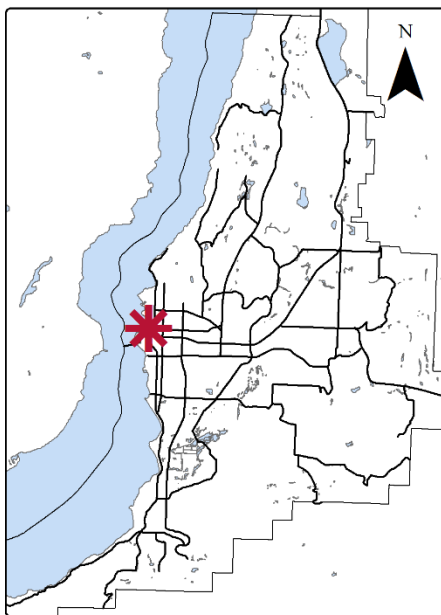
	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am
Close	2:00 am	2:00 am	2:00 am	2:00 am	2:00 am	2:00 am	2:00 am

4.4 Site Context

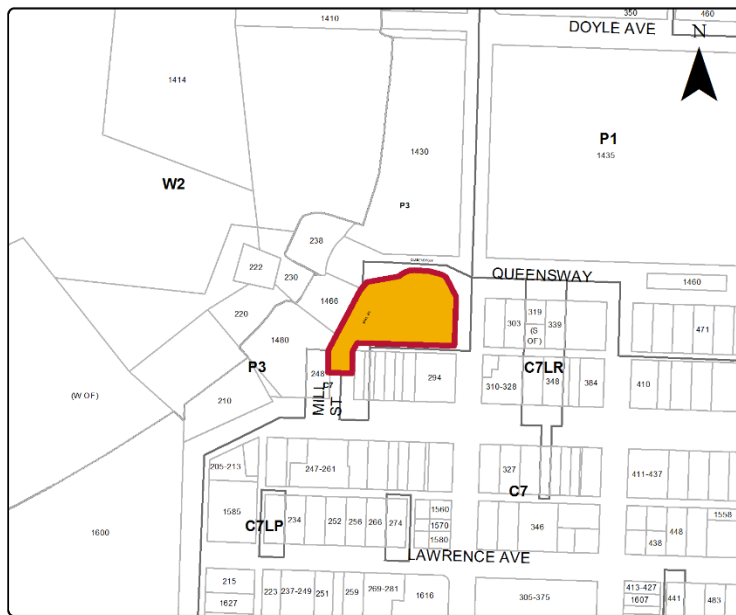
Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 - Parks and Open Space	Stuart Park
East	C7 - Central Business Commercial	Office
South	C7 - Central Business Commercial	Bank
West	P3 - Parks and Open Space	Kerry Park

Subject Property Map:



CONTEXT



NEIGHBOURING ZONING



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).

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 livable downtown is strategically important to Kelowna's overall prosperity and success. 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 RCMP

The RCMP are not opposed to the permanent change in hours of liquor service requested by the applicant.

6.2 Fire Department

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

² Policy 8.9.2 (Economic Development Chapter8, page 8.4)

The Fire Department has no issues with the change in hours.

7.0 Application Chronology

Date of Application Received: February 4, 2016

Report prepared by:

Ryan Roycroft, Planner

Reviewed by: ☐ Terry Barton, Urban Planning Manager

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