

# REPORT TO COUNCIL



**Date:** April 20, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** LL21-0003

**Owner:** 1568447 Alberta Ltd., Inc. No. A0093042

**Address:** Unit 301, 890 Clement Avenue

**Applicant:** The Office Brewery Corp.  
(Dillan Crema)

**Subject:** Liquor License Application

**Existing OCP Designation:** IND - Industrial

**Existing Zone:** I4c – Central Industrial (Retail Cannabis Sales)

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## 1.0 Recommendation

THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB):

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 The Office Brewery Corp. for a manufacturer lounge endorsement area for Strata Lot 19 Section 30 Township 26 ODYD Plan EPS7283 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V located at Unit 301, 890 Clement Avenue, Kelowna, BC for the following:
  - a. 9:00 am to 11:00 pm Sunday to Thursday for indoor service areas;
  - b. 9:00 am to midnight Friday and Saturday for indoor service areas.
  - c. 9:00 am to 10:00 pm daily for the outdoor patio service area.
2. Council's comments on LCLB's prescribed considerations are as follows:
  - a. The location of the lounge endorsement area: The brewery is located on an industrial property which consists of three separate buildings. The business is located in the eastern-most building which fronts onto Clement Ave. The property is east of the City Centre Urban Centre on a 4-lane arterial roadway;
  - b. The proximity of the establishment to other social or recreational facilities and public

buildings: The north-end industrial area is becoming a destination with it being home to a number of small-scale wineries, cideries and breweries. The area is within walking distance of the downtown City Centre Urban Centre, it is close to the Rail Trail and the Ethel Street Active Transportation Corridor (ATC).

The site is within walking distance to multiple recreation facilities which includes Elks Stadium Ballpark, the Curling Club, and the Kelowna Badminton Club.

Earlier this year, a lounge endorsement area for another brewery was approved on the subject site. This would be the second small capacity lounge with an outdoor patio on the site.

c. The person capacity and hours of liquor service of the establishment: The business proposes a total capacity of 89 persons as follows: Main Floor – 27 persons, Mezzanine – 30 persons, Outdoor Patio – 32 persons;

d. Traffic, noise, parking and zoning: The brewery is proposed in an industrial area adjacent to Clement Avenue, a 4-lane arterial roadway. The south side of Clement is primarily single-family dwellings with a small amount of multi-family residential. Any impacts of traffic, parking and associated noise already exist due to the industrial nature of the area on the north side of Clement Ave and the proximity to Clement Avenue. To minimize additional noise the outdoor patio would close at 10:00 pm nightly;

e. The impact on the community if the application is approved: The negative impact the business poses is considered minimal due to the existing nature of the area. The brewery would aide in activating the Clement Streetscape beyond the hours of a standard workday.

3. 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 lounge endorsement area for a brewery to allow patrons to purchase and consume liquor products on-site between the hours of 9:00 am to 11:00 pm Sunday to Thursday and 9:00 am to Midnight Friday and Saturday for the indoor areas and 9:00 am to 10:00 pm daily for the outdoor patio area, with a total capacity of 89 people (57 people – indoors, 32 people – outdoor patio).

## **3.0 Development Planning**

Staff generally support manufacturer lounge endorsements in order to allow customers to consume the manufacturer's product on-site. Staff do not foresee any negative impacts of permitting this type of business. The applicant has agreed to reduce the hours of operation of the outdoor patio to 10:00 pm daily with the intent of limiting noise impacts to the adjacent residential areas. This aligns with the outdoor patio hours of operation that have been approved for other similar businesses in the area and addresses the R.C.M.P concern related to noise.

Earlier this year, Council approved a liquor license application for a lounge endorsement area with an outdoor patio for the 'Unleashed' Brewery on the same site. The two breweries are in adjacent buildings fronting onto Clement Avenue. The clustering of a few small-scale businesses is positive as it provides choices in the immediate area for patrons.

The Official Community Plan (OCP) encourages complete communities which includes entertainment beyond the standard workday hours. The proposal will provide residents with a walkable neighbourhood that provides access to other breweries in the City's north end industrial area. The subject site is in proximity to

the Rail Trail and Ethel Street ATC. With the proximity to the City Centre Urban Centre, the site is accessible to Kelowna residents along with visitors to the city.

#### 4.0 Proposal

##### 4.1 Background

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

##### 4.2 Project Description

The Office Brewery Corp. proposes a brewery which includes a lounge endorsement area and an outdoor patio. The capacity of the indoor seating area is 57 people with an outdoor patio capacity of 32 people.

Proposed Hours of Sale (Lounge Endorsement Area):

		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	Indoor	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	12:00 PM	12:00 PM
	Patio	10:00 PM	10:00 PM	10:00 PM	10:00 PM	10:00 PM	10:00 PM	10:00 PM

##### 4.3 Site Context

The subject property is located in the Central City Sector directly facing onto Clement Avenue. The area to the north is mainly industrial with the south side of Clement Avenue being residential with a mix of single family and multi-family developments.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I <sub>4</sub> - Central Industrial	General Industrial
East	I <sub>4</sub> - Central Industrial	General Industrial Rapid Drive-Through Vehicle Service
South	RU6 – Two Dwelling Housing	Residential (Single and Multi-family)
West	I <sub>4</sub> - Central Industrial	General Industrial

**Subject Property Map: 301 890 Clement Ave (The Office Brewery Corp.)**



**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:

- New patios associated with liquor establishments should be located and designed to limit potential impacts on surrounding property owners.

**6.0 Technical Comments**

**6.1 R.C.M.P.**

- As the property is in close proximity to single dwelling houses and multi dwelling condo units, RMCP raise concerns related to noise and would like to know if there are plans to mitigate noise from the patio.

**7.0 Application Chronology**

Date of Application Received: February 1, 2021

Date Public Consultation Completed: March 11, 2021

**Report prepared by:** Lydia Korolchuk, Planner Specialist  
**Reviewed by:** Jocelyn Black, Urban Planning Manager  
**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

**Attachments:**

Attachment A: Letter of Rationale

Attachment B: Site Plan & Floor Plan/ Occupant Load