

REPORT TO COUNCIL



Date: February 8, 2022

To: Council

From: City Manager

Department: Development Planning

Application: LL21-0010

Owner: Paul Leinemann Construction Ltd

Address: 1170-1186 High Road

Applicant: Railside Brewing LTD. (Robert Leinemann)

Subject: Liquor License Application

Existing OCP Designation: C-NHD – Core Area Neighbourhood

Existing Zone: I₄ – Central Industrial

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 Railside Brewing for a Liquor Primary License for Lot 3 Section 30 Township 26 ODYD Plan 19104, located at 1170-1186 High Road, Kelowna, BC for the following:
 - a. 2:00 pm to 9:00 pm Tuesday to Wednesday
 - b. 12:00 pm to 10:00 pm on Thursday
 - c. 11:00 am to 11:00 pm on Friday and Saturday
 - d. 11:00 am to 9:00 pm on Sunday
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 two separate buildings. The business is located in the eastern-most building which fronts onto High Road and the Okanagan Rail Trail, and backs onto Clement Ave. The property is east of the City Centre Urban Centre;
 - 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 multiple small-scale wineries, cideries and breweries. The area is within walking distance of the downtown City Centre Urban Centre, it is situated on the Rail Trail and near the Ethel Street, and Cawston Avenue Active Transportation Corridors (ATC).

The site is in close proximity to multiple recreation facilities which includes Lombardy Park, Parkinson Recreation Centre, the Curling Club, and the Kelowna Badminton Club.

c. The person capacity and hours of liquor service of the establishment: The business proposes an indoor capacity of 77 persons and an outdoor capacity of 38 persons. the total capacity at any given time may not exceed 100 persons, as per the occupant load calculations based on BC Building Code.

d. Traffic, noise, parking and zoning: The brewery is proposed in an area with a mix of residential, industrial and commercial uses 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 a sound barrier fence along the south side patio is being proposed.

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 2:00 pm to 9:00 pm Tuesday to Wednesday, 12:00 pm to 10:00 pm on Thursday, 11:00 am to 11:00 pm on Friday and Saturday, and 11:00 am to 9:00 pm on Sunday with a total capacity of 100 people

3.0 Development Planning

Staff are supportive of the 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 Official Community Plan (OCP) encourages complete communities which includes entertainment beyond the standard workday hours. The proposal will contribute to the vibrancy of the neighbourhood and provide an additional amenity in close proximity to other breweries in the City's north end industrial area. The subject site is on the Rail Trail and is in proximity to Ethel Street, and Cawston Avenue ATCs. 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

Railside Brewing Ltd. is proposing a brewery that includes a lounge endorsement area and an outdoor patio. The proposed indoor lounge has a capacity of 77 persons and the outdoor patio has a capacity of 38 persons.

Proposed Hours of Sale (Lounge Endorsement Area):

		Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open		11:00 AM	Closed	2:00 PM	2:00 PM	12:00 PM	11:00 AM	11:00 AM
Close	Indoor	9:00 PM	Closed	9:00 PM	9:00 PM	10:00 PM	11:00 PM	11:00 PM
	Patio	9:00 PM	Closed	9:00 PM	9:00 PM	10:00 PM	11:00 PM	11:00 PM

4.3 Site Context

The subject property is located in the Core Area neighbourhood in close proximity to the downtown urban Centre directly facing onto High Road and backing 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 ₄	General Industrial
East	I ₂	Industrial - commercial storage
South	RM ₁	Residential (Single and Multi-family)
West	I ₄	General Industrial

Subject Property Map: 1184-1186 High Road (Railside Brewing Ltd.)



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

5.2 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 Application Chronology

Date of Application Accepted: November 17, 2021

Report prepared by: Graham Allison, Planner I

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Letter of Rationale

Attachment B: Site Plan & Floor Plan/ Occupant Load