

REPORT TO COUNCIL



Date: March 22, 2022

To: Council

From: City Manager

Department: Development Planning

Application: LL21-0011 **Owner:** Ricco Bambino Wines Inc., Inc.
No. BC1129356

Address: 1630 Pandosy Street **Applicant:** Jason Alton

Subject: Liquor License Application

Existing Zone: C7 – Central Business Commercial

1.0 Recommendation

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

In accordance with Division 9 (71) of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Ricco Bambino Wines for a new liquor primary license for Strata Lot 1 District Lot 139 ODYD, Strata Plan KAS₃₄₁₁ 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 1630 Pandosy St, Kelowna, BC for the following reasons:
 - a. The maximum capacity is 77 persons and is anticipated to have a minimal impact on the community.
 - b. Based on the maximum capacity allowed the establishment is defined as a small establishment (<100 persons). As per Council Policy No. 359 – Liquor Licensing Policy and Procedures, small liquor primary establishments should not be located beside another liquor primary establishment. The existing site location is not adjacent to any liquor primary establishments.
2. Council's comments on LCLB's prescribed considerations are as follows:
 - a. The location of the establishment:
The subject property is located within the Downtown Urban Centre and is surrounded by a variety of other commercial, residential and mixed-use developments.

b. The proximity of the establishment to other social or recreational facilities and public buildings:
The site is located in close proximity to City Park to the west of the property which includes a few smaller public buildings such as washrooms and the Kelowna Lawn Bowling Club. Both Stuart Park and the Kelowna Visitor Centre are located to the northwest. Additionally, City Hall, Kasugai Gardens, Kelowna Community Theater, and the Kelowna Library are located further north of the subject site.

c. The person capacity and hours of liquor service establishment:

The existing establishment is currently licensed through the LCRB as a wine manufacturing and lounge endorsement liquor license, however, the application is proposing to change the existing licence to a liquor primary without any physical changes to the location, licensed area or hours of operation. The existing person capacity of 57 persons inside and 20 persons on the exterior patio for a total of 77 persons will remain unchanged.

d. The number and market focus or clientele of liquor-primary license establishments within a reasonable distance of the proposed location:

With the property being located in the heart of the Downtown City Centre, there are many existing commercial liquor serving establishments clustered together including a mixture of bars, pubs, restaurants, nightclubs and boutique wineries. Ricco Bambino defines itself as a micro boutique urban winery.

f. The impact on the community if the application is approved:

As the applicant is not proposing to change the existing hours of operation, existing liquor licence person capacity, or internal or external seating arrangements, the potential impact on the community is considered to be minimal, if at all.

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."

Purpose

To seek Council's support for a new Liquor Primary License to allow the existing establishment to change from a wine manufacturer with lounge endorsement to a Liquor Primary establishment.

2.0 Development Planning

Staff are recommending support for the proposed liquor license change to allow the exiting establishment to change designations from a wine manufacturer with lounge endorsement to a new Liquor Primary establishment.

The existing business (Ricco Bambino) has been operating at its current location since opening its doors in 2018 has been producing a minimum of 4,500 liters of wine per year on site each year to maintain its status as a winery. The applicant is no longer wishing to produce wine on site due to the difficulty of transporting, refining, distilling, and producing wine at an urban location in the downtown core. As such, the applicant is proposing to change liquor license designations from a wine manufacture with lounge endorsement to a new liquor primary establishment. The applicant is not proposing to make any physical changes to the site with respect to the existing interior and exterior person capacities or the hours of operation.

3.0 Proposal

3.1 Background

Ricco Bambino Wines has been operating as a winery on the subject site since its conception in 2018 and has an existing capacity of 57 persons for the interior, 20 persons for exterior patio for a total of 77 persons.

3.2 Project Description

Existing Hours of Sale

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	Closed	Closed	1:00 PM	1:00 PM	1:00 PM	1:00 PM	1:00 PM
Close	Closed	Closed	10:00 PM	10:00 PM	12:00 AM	12:00 AM	8:00 PM

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

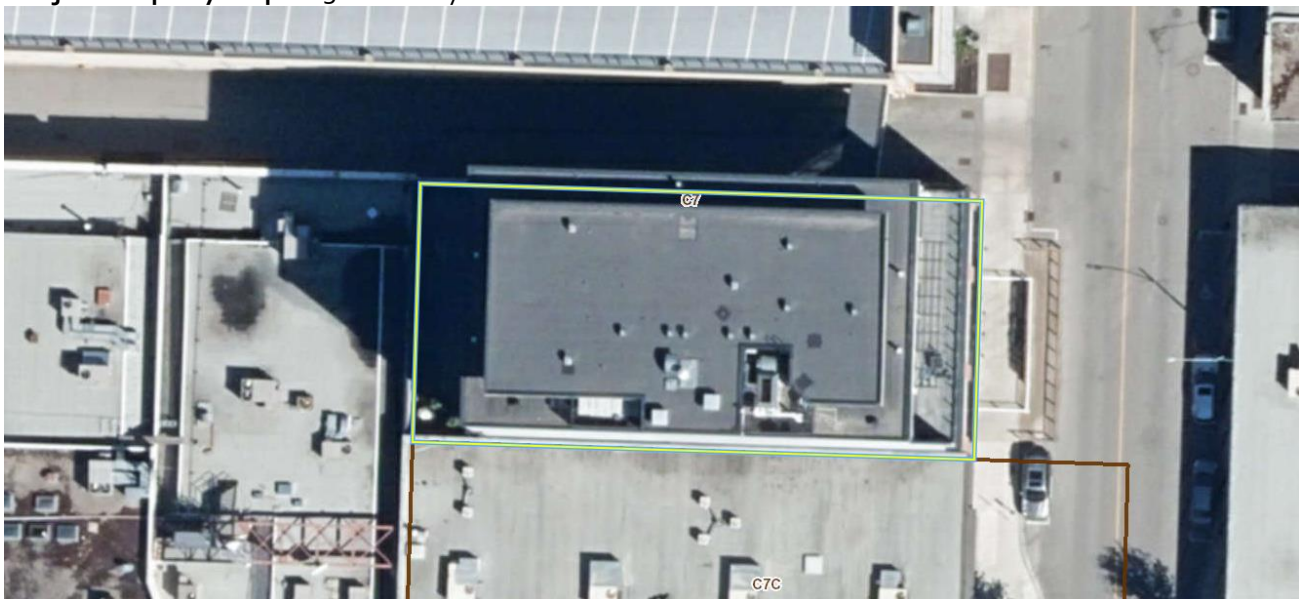
3.3 Site Context

The subject property is located mid-block on the west side of Pandosy Street in between Lawrence Avenue to the north and Leon Ave to the south. The surrounding neighbourhood is comprised of largely commercial and mixed-use developments including residential uses.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C7 – Central Business Commercial	Structured Parking
East	C7 – Central Business Commercial	Commercial
South	C7rcs – Central Business Commercial (Retail Cannabis Sales)	Commercial
West	C7 – Central Business Commercial	Commercial

Subject Property Map: 1630 Pandosy Street



4.0 Current Development Policies

4.1 Council Policy No. 359 – Liquor Licensing Policy and Procedures

The following sections of Policy No. 359 are applicable to this application:

Small establishments (with person capacity of less than 100 persons) should not be located beside another liquor primary establishment

5.0 Application Chronology

Date of Application Accepted: November 22, 2021

Report prepared by: Andrew Ferguson, Planner II

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: Stamped Occupant Load Floor Plan

Attachment B: Applicant's letter of rationale