

ATTACHMENT A

This forms part of application

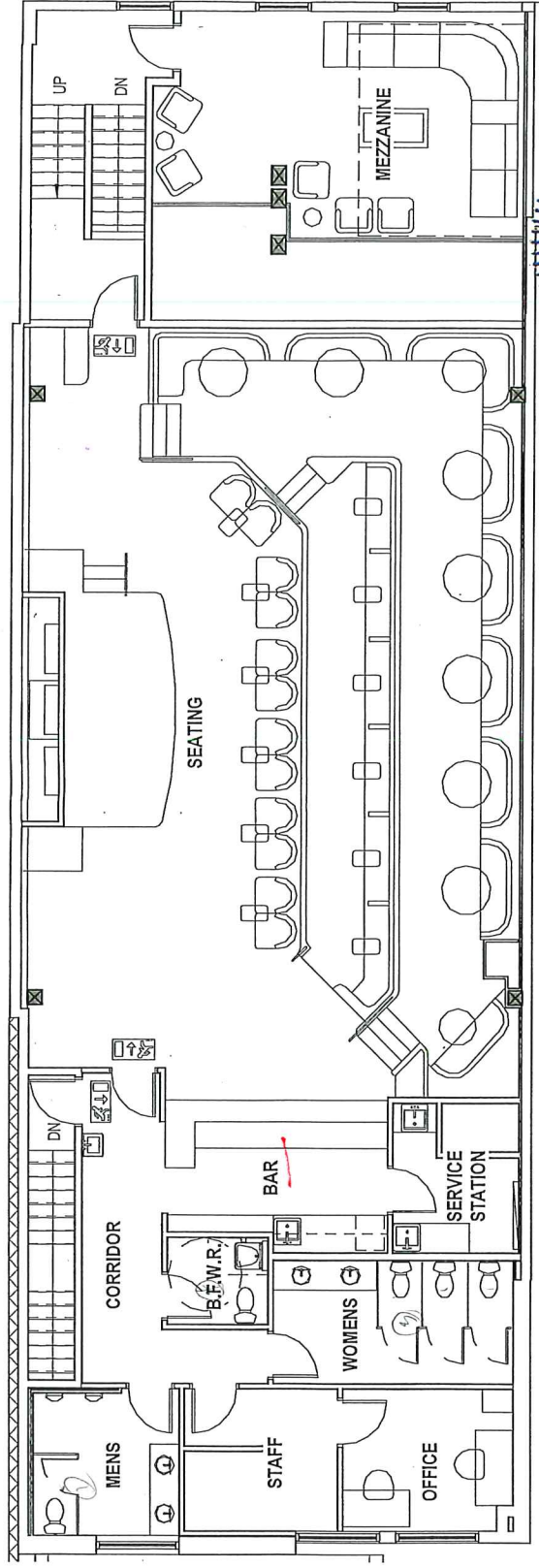
LL22-0001



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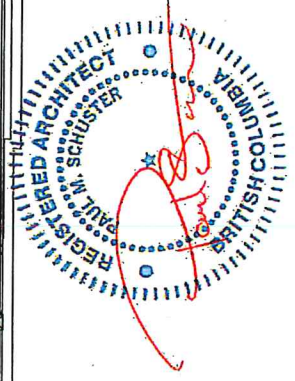
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THE INDOOR SECOND FLOOR DINING AREA HAS A NET FLOOR AREA OF 198sq.m.
THE MAXIMUM OCCUPANT LOAD SHALL BE 165 PERSONS, BASED ON 1.2sq.m./PERSON

The SECOND FLOOR DINING/BAR has a net floor area of 198 m². The maximum occupant load shall be 165 persons, based on ARCHITECT CALCULATION.

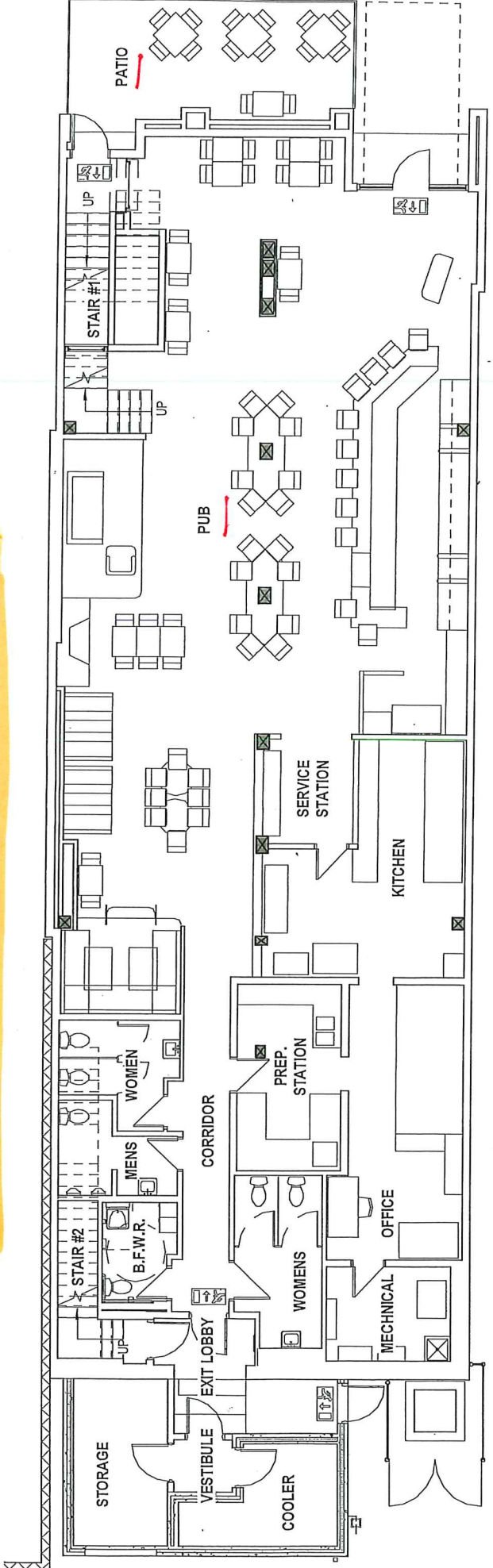
1 MEZZANINE AND SECOND FLOOR PLAN
1/8" = 1'-0"



2022-04-06

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353 BERNARD AVE, KELOWNA DOC WILLOUGHBY'S

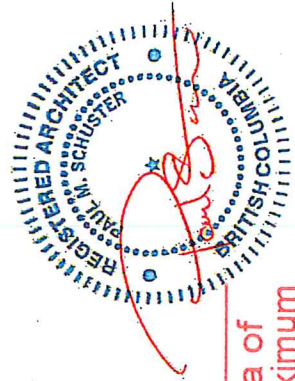


THE INDOOR MAIN FLOOR DINING AREA HAS A NET FLOOR AREA OF 168sq.m.
THE MAXIMUM OCCUPANT LOAD SHALL BE 140 PERSONS, BASED ON 1.2sq.m./PERSON

The MAIN FLOOR DINING/BAR has a net floor area of 168 m². The maximum occupant load shall be 140 persons, based on ARCHITECT CALCULATION.

The PATIO has a net floor area of 34 m². The maximum occupant load shall be 28 persons, based on ARCHITECT CALCULATION.

1 MAIN FLOOR PLAN
1/8" = 1'-0"



2022-04-06

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Reviewed
by City of Kelowna
Inspection Services
APR 08 2022
gdc



PROJECT RATIONALE

Location and Concept Proposal

Doc Willoughby's ("Doc's") is located at 353 Bernard Avenue in downtown Kelowna. The applicant took over operation of Doc's on May 1, 2021. Doc's has been an iconic pub operating in downtown Kelowna for almost 20 years – since February 2002. The Nixons, as the new owners, look forward to continuing its legacy with their own brand of hospitality. They have revamped the menu to feature quality local ingredients in familiar and classic dishes. Burgers, bowls, sandwiches and much, much more. The Nixons assumed operations of Doc's during the pandemic and have been struggling through numerous and repeated operational restrictions imposed by the Provincial Health Officer. This has forced them to re-think their style operation and come up with some creative ideas to remain as a feasible business in an ever evolving and challenged hospitality industry.

The Nixons are excited to bring a fresh concept to Doc's and the downtown community of Kelowna. They are proposing to expand the licensed area up to the level above the mezzanine. The new upstairs area would be an extension of the pub, continuing to promote great food and creative cocktails, and offering an engaging social scene. In addition, they are planning to run the upstairs as a multi-function area, presenting live entertainment and film viewings in a setting unlike many others. They also intend to schedule comedy nights, and offer this unique space to those interested in planning a private personal or corporate event.

The newly licensed area will offer a unique variety of food options. The Nixons are excited to bring this creative concept to Kelowna, as there currently isn't a room in the downtown area quite like it. They believe this multi-use area with its unique design and operational concept will add a new energy and vibrancy to this already cool dining location in Kelowna. They are also currently considering changing the name of the establishment. This is still to be determined.

Proximity to Social or Recreational Facilities and Public Buildings

Doc's is in the heart of downtown Kelowna, and is therefore surrounded by a variety of different businesses and services. There is a library approximately 550 metres away, the RCMP is located 1.5 km away and City Hall is just a couple of blocks away. The YMCA is 650 metres away and Rec Fitness is 900 metres away. The Okanagan Boys and Girls Club is approximately 1.5 km away. In addition, there are various learning institutions within 1 or 2 km, but they are all adult educational facilities, except for one young learning facility, which is a theatre school. There are no daycare facilities within 1 km. There are no concerns with any of these businesses/facilities and their proximity to Doc's. As mentioned previously, Doc's has been operating at this location for almost 20 years and it fits well with its neighbouring businesses and residents. The proposed expansion will not change this fact.

Hours of Liquor Service and Hours of Operation

The hours of liquor service for this establishment are 9:00 am to 2:00 am, seven days a week. The Nixons are not applying for any change to the hours of liquor service. They are currently operating Tuesday through Sunday from 11:30 am to 12:00 midnight, but hope to eventually be open seven days per week. The 9:00 am start time simply provides them with greater flexibility so that, on rare occasions they could open earlier, if they needed to. Having said that, they do not intend to open at 9:00 am, but rather continue with an 11:30 am opening time.

Person Capacity

The current establishment capacity is 150 inside (main floor and mezzanine), plus a patio of 28, for a total of 178. The proposed increased capacity will be 305 inside (main floor, mezzanine and second floor), plus the patio of 28, for a total of 333. Under Council Policy 359, this will transition Doc's from a "medium" establishment (capacity from 100 to 249 persons) to a "large" establishment (capacity greater than 249 persons – up to 500).

Liquor Primary Licensed Establishments with a Reasonable Distance

As previously noted, being located in the heart of Bernard Avenue, Doc's is surrounded by a variety of different businesses. It is located within an Urban Centre, as is required under Council Policy 359. The closest LP licensed establishment is Micro Bar Bites at 1500 Water Street, which is approximately 100 metres away. Micro Bar has a capacity of 45 persons and is, therefore, classified as a "small" establishment under Council Policy 359. This Policy recommends that a "large" establishment should not be located beside a "small" establishment. We would point out that Doc's is not beside Micro Bar. Located on either side of Doc's is Antico Pizza Napoletana and Bread Co., neither of which are LP licensed establishments. In addition, Micro Bar is an extremely small facility and it's clientele are seeking a different, more intimate atmosphere than what has been, and what is proposed to be offered at Doc's.

Kelly O'Bryan's and CRAFT Beer Market are the two next closest establishments, both of which are licensed under Food Primary ("FP") Liquor Licences. In addition, Earls, Salted Brick, Krafty Kitchen & Bar, Memphis Blues BBQ and Raudz are all FP licensed establishments within several blocks. Doc's proposed capacity of 333 and its location and proximity to other LP licensed establishments does not contravene Council Policy 359.

SCHEDULE

B

This forms part of application

LL22-0001



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COMMUNITY IMPACT

Noise Impact within Immediate Vicinity

We do not believe this proposed expansion will result in any increase in noise coming from this establishment. The expanded area is all interior space and measures will be taken during renovations to ensure that the construction utilizes adequate sound-proofing materials. In addition, the applicant will ensure that, during all hours of operation, the establishment is in compliance with the City of Kelowna's noise bylaws.

Impact on Community if Approved

If Doc's receives approval to expand upstairs and increase its capacity up to 333, the community will be enriched. The Nixons are upstanding business owners and operators who have been successfully operating BNA Brewing and Public Liquor (store) for a number of years. They have robust training policies that focus on providing the most enjoyment to their customers in the safest possible manner. Their creativity has been embraced at BNA, and it is anticipated that it will also be embraced at Doc's. The community and visitors to it are looking for fresh new concepts in terms of entertainment, rather than an establishment that purely focuses on alcohol sales. The loyal customers will still have the main floor the same, if they prefer no change, and those seeking change will have something different and interesting on the second floor. This new concept will be a welcome addition to the downtown area.

We look forward to hearing from you at your earliest convenience regarding the next steps in the City's application process, such as neighbourhood notification.

Please contact the writer if you have any questions or require any additional information.

Thank you very much for your consideration.

Yours truly,

MAIR JENSEN BLAIR LLP


ANITA MOORE-NIKORAS,
Legal Assistant to Dennis P. Coates, Q.C.

Enclosures

cc: 353 Bernard Enterprises Ltd.

SCHEDULE	B
This forms part of application # LL22-0001	
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City of Kelowna DEVELOPMENT PLANNING	