

# REPORT TO COUNCIL



**Date:** October 4, 2022

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** LL22-0020

**Owner:** 0726550 B.C LTD., INC.NO.  
BC0726550

**Address:** 200 - 510 Bernard Ave

**Applicant:** Lakehouse Kitchen - Travis Pye

**Subject:** Liquor License

**Existing OCP Designation:** Urban Centre

**Existing Zone:** UC1 – Downtown Urban Centre

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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 '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 Lakehouse Kitchen for a liquor primary license for Lot A District Lot 139 ODYD Plan 22310, located at 200- 510 Bernard Ave, Kelowna, BC for the following reasons:
  - a. Council Policy No. 359 recommends supporting alternative entertainment options, and/or establishments which are less focused on alcohol consumption;
2. Council's comments on LCRB's prescribed considerations are as follows:

Criteria for new Liquor Primary:

  - a. The location of the establishment:  
The proposed location is suitable for a medium establishment liquor primary license as the property is within an Urban Centre.
  - b. The proximity of the establishment to other social or recreational facilities and public buildings:  
The location is in close proximity to several food primary establishments, liquor primary establishments and government buildings.

- c. The person capacity and hours of liquor service of the establishment:  
The hours are consistent with the other liquor primary and food primary establishments in the area. The occupancy is 124 persons.
  - d. The number and market focus or clientele of liquor-primary license establishments within a reasonable distance of the proposed location:  
The location meets Council Policy #359 requirement for distance between medium capacity establishments.
  - e. The impact of noise on the community in the immediate vicinity of the establishment:  
The potential impact for noise is minimal and would be compatible with surrounding land uses.
  - f. The impact on the community if the application is approved:  
The potential for negative impacts is minimal.
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 with an occupant load of 124 persons.

### **2.0 Development Planning**

Staff support the request for a new liquor primary license for the commercial business known as Lakehouse Kitchen. Bernard Avenue is home to several food primary and liquor primary establishments allowing this proposal to compliment these surrounding land uses. The proposed business is looking to bring a unique experience downtown with cooking classes within the liquor primary. The impact on the surrounding community will be minimal and noise is not an anticipated issue due to a combination of factors including:

- Indoor occupancy of 124 persons,
- Compatible with surrounding land uses,
- Hours consistent with neighbouring businesses.

Council Policy No. 359 recommends supporting liquor primary license applications for establishments supporting alternative entertainment options and/or establishments which are less focused on alcohol consumption.

### **3.0 Proposal**

#### **3.1 Project Description**

Lakehouse Home Store is proposing to create a downtown cooking class experience. The current kitchen is undersized for the demand their programs are experiencing and they are seeking to expand in this new location. The proposal has the support of Kelowna Chefs Association and will be led by leading chefs in the industry to share knowledge with locals and tourists in the downtown urban environment. In addition to the cooking classes, further education will be provided on paring drinks with food as well as showcasing local wineries, breweries and spirits.

Proposed Hours of Sale:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM
Close	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM

3.2 Site Context

The subject property has a future land use of Urban Centre and is located in the downtown core. The property is a corner site fronting onto both Bernard Avenue and Ellis Street. There is a mix of land uses in the area, predominantly retail and food primary establishments. The area also contains high density residential development in recently completed projects and multiple sites currently under construction.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	UC1 – Downtown Urban Centre	Office
East	UC1 – Downtown Urban Centre - Retail Cannabis Sales	Retail Store, General
South	UC1 – Downtown Urban Centre	Office
West	UC1 – Downtown Urban Centre	Office

**Subject Property Map:** 200 – 510 Bernard Ave



#### **4.0 Current Development Policies**

##### **4.1 Council Policy #359 – Liquor Licensing Policy and Procedures**

The following sections of Policy #359 are applicable to this application:

- Medium establishments (100-249 persons) should be located within Urban Centre, minimum of 100m from a Large or Medium establishment and not be located beside a Small establishment.
- 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).

#### **5.0 Technical Comments**

##### **5.1 R.C.M.P.**

No concerns

#### **6.0 Application Chronology**

Date of Application Accepted: August 19, 2022

Date Public Consultation Completed: September 12, 2022

**Report prepared by:** Jason Issler, Planner I

**Reviewed by:** Lydia Korolchuk, Urban Planning Manager

**Reviewed by:** Terry Barton, Development Planning Department Manager

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

#### **Attachments:**

Attachment A: Floor Plan/Site Plan/Occupant Load

Attachment B: Letter of Rationale