

REPORT TO COUNCIL



Date: April 18th, 2023

To: Council

From: City Manager

Department: Development Planning

Application: LL23-0003

Owner: Lakeside Land Development Corp., Inc.No. BCo797739

Address: 105-1111 Gordon Drive

Applicant: Liam Mitchell – Buffalo Rouge Brewing

Subject: Liquor License Application

Existing OCP Designation: IND – Industrial

Existing Zone: I2 – General Industrial

1.0 Recommendation

THAT Council direct 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 Buffalo Rouge Brewing for a Lounge Endorsement for a Manufacturer's License for Lot 1 Section 30 Township 26 ODYD Plan EPP44783, located at 105-1111 Gordon Drive, Kelowna, BC for the following reasons:
 - The addition of Lounge Endorsement to the Manufacturer License is perceived to have a minimal impact on the community and surrounding properties as this is an existing industrial building and there are limited residential properties in the area.
2. Council's comments on LCRB's prescribed considerations are as follows:
 - a) The location of the winery/special event area:

The proposed location is suitable for a manufacturer with a lounge endorsement as the property is located in an industrial area and is close to the Downtown Urban Centre and areas in the Core Area Neighbourhood.
 - b) The proximity of the winery/special event area to other social or recreational facilities and public buildings:

The location is in relatively close proximity to other social gathering establishments.

c) The person capacity of the winery lounge:

The proposed capacity is 50 persons (34 in tasting room and 16 on patio). The inside areas and patio will be open until 11:00pm.

d) Traffic, noise, parking and zoning:

The potential impact for noise is minimal and would be compatible with surrounding land uses and the use is compatible with the underlying zone.

e) The impact on the community if the application is approved:

The low capacity and small patio will have minimal negative impacts on the community.

3. Council's comments on the views of resident's area 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 new lounge endorsement for a manufacturer with an occupancy of 50 persons.

3.0 Development Planning

Staff are supportive of the Manufacturer – lounge endorsement in order to allow customers to consume the manufacturer's product on-site. The surrounding commercial and industrial area are already home to several small breweries and cideries. The establishment is located within an industrial zoned area North of the Downtown Urban Centre and surrounded by Core Area Neighbourhood areas. As a result, the impact on the surrounding community will be minimal and noise is not anticipated to be an issue due to a combination of factors including:

- Maximum occupancy of 50 persons (34 indoor + 16 outdoor patio),
- Hours of operation are in-line with similar business in the area,
- Compatible with surrounding land uses

Council Policy No. 359 allows lounge endorsement applications for small establishments outside of Urban Centre's to allow a mix of entertainment options when surrounding land-uses, and general impact on the local neighbourhood is minimal.

4.0 Proposal

4.1 Project Description

The Liquor License Application is for a new brewery called Buffalo Rouge Brewing. The applicant is seeking to add a lounge area with the tasting area in the existing industrial building. The establishment is seeking an occupancy of 50 persons, which would include 34 in the tasting room and 16 on the patio. The tasting room will have televisions, stereo system, and a stand-up piano. The applicant is also including a full kitchen, which will offer snacks, appetizers, entrees, desserts, and weekend brunch options.

Buffalo Rouge Brewing would be subject to the City’s Good Neighbour bylaw. The patio will be consistent with other approved patios and the Bernard Avenue Sidewalk program:

- Patio hours of operation: 9:00 am – 11:00 pm
- Last Call for drinks: 10:30 pm

Proposed Hours of Sale:

		Sun	Mon	Tues	Wed	Thurs	Fri	Sat
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	11:00 PM	11:00 PM
	Patio	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM

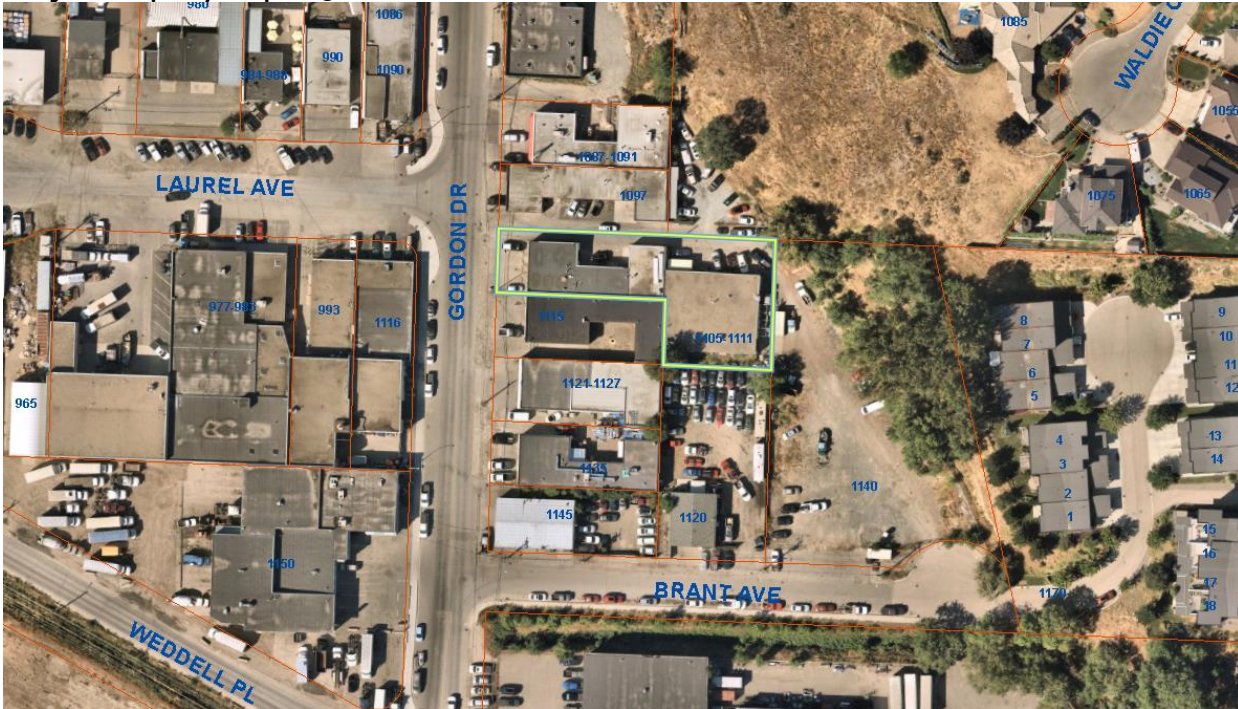
4.2 Site Context

The subject property has a Future Land Use Designation of Industrial and is also surrounded by areas designated as Core Area Neighbourhood to the East. The property is located on Gordon Drive, near the intersection with Laurel Avenue. The surrounding area is primarily general industrial businesses include automotive services, manufacturing, and outdoor storage.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I2 – General Industrial & RU1 – Large Lot Housing	Manufacturing, Automotive Services and Single-Dwelling Housing
East	I2 – General Industrial	Outdoor Storage
South	I2 – General Industrial	Manufacturing and Automotive Services
West	I2 – General Industrial	General Industrial

Subject Property Map: 105-1111 Gordon Drive



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.8 – Encourage Employment-intensive industrial uses in the Core Area	
Policy 5.8.3. North End Industrial Lands	Support the growth of industrial development in Kelowna’s North End with additional opportunities for speciality retail where it is supportive of the production and manufacturing in the area.
	<i>Proposed business will add a specialty retail business in the area.</i>

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 primary licenses should be located and designed to limit potential impacts on surrounding property owners
- Small establishments (with person capacity less than 100 persons) should not be located beside another liquor primary establishment.

6.0 Technical Comments

6.1 R.C.M.P.

6.1.1 A review of the proposal does not raise any concerns with the RCMP.

7.0 Application Chronology

Date of Application Accepted: February 7th, 2023
Date of Public Notification Completed: February 22nd, 2023

Report prepared by: Tyler Caswell, Planner II
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