

# REPORT TO COUNCIL



**Date:** June 13, 2023  
**To:** Council  
**From:** City Manager  
**Department:** Development Planning  
**Application:** LL23-0008 **Owner:** 1301708 B.C. Ltd., Inc.No. BC1301708  
**Address:** 7-2030 Matrix Crescent **Applicant:** Three Lakes Brewing Company  
**Subject:** Liquor Licence Application  
**Existing OCP Designation:** IND – Industrial  
**Existing Zone:** I2 - General Industrial

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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 Three Lakes Brewing Company for a lounge endorsement of a manufacturers licence for Strata Lot 7, Section 14 Township 23 Osoyoos Division Yale District Strata Plan EPS7897, located at 7-2030 Matrix Crescent, Kelowna, BC for the following reasons:

- Establishment will have a small occupancy and appropriate hours for its location;
- Establishment will have minimal impact on surrounding Industrial uses; and
- Minimal residential impact within the area.

2. Council's comments on LCLB's prescribed considerations are as follows:

Criteria for a lounge endorsement:

a. The location of the winery/special event area:

The proposed location is suitable for a manufacturer - lounge endorsement as the property is within an industrial zone in close proximity to the Kelowna airport and the UBCO campus.

b. The proximity of the lounge area to other social or recreational facilities and public buildings:

The location is in close proximity to other lounge endorsements and food primary uses within the UBCO campus and the Kelowna airport.

c. The person capacity of the lounge endorsement:

The maximum occupancy load of this establishment is 30 persons which is considered to be minimal.

d. Traffic, noise, parking and zoning:

The potential impact for traffic, nuisance and parking issues is minimal. The I2 – Industrial zone supports the proposed use.

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

The potential for negative impact is minimal due to the low capacity.

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 new lounge endorsement for a manufacturer with an occupancy of 30 persons.

## 3.0 Development Planning

Staff support the request for a Lounge Endorsement Licence for Three Lakes Brewing at 7-2030 Matrix Crescent. The proposed licence area allows for customers to consume the manufacturer's product on-site. The proposed licence area would be 128 m<sup>2</sup> in size and is located on the first floor and mezzanine area of the commercial unit. The maximum patron capacity of this establishment is 30 persons. This establishment is located within an industrial zoned complex in close proximity to the CD12-Airport and CD20-University zones. Planning Department generally supports the model of smaller liquor establishments that are distributed throughout the community as opposed to a more traditional larger, concentrated model. As a result, the impact on the surrounding community will be minimal and noise is not an anticipated issue due to a combination of factors including:

- Maximum occupancy of 30 persons;
- The surrounding land uses are primarily industrial and airport related; and
- Hours of operation are in line with similar businesses in the area.

## 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

The applicant is proposing to obtain a Lounge Endorsement Licence in addition to their on-site alcohol production facilities. The licenced area would be 128 m<sup>2</sup> in size and would have a maximum capacity of 30 persons. The proposed Lounge Endorsement will also seek to provide food service within the establishment.

**Proposed Hours of Sale :**

		Sun	Mon	Tues	Wed	Thurs	Fri	Sat
<b>Open</b>		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
<b>Close</b>	Indoor	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM
	Patio	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**Occupant Load:**

	Existing	Proposed
<b>Indoor</b>	N/A	30
<b>Outdoor</b>	N/A	N/A

4.3 Site Context

The subject property has a future land use of Industrial and is in close proximity to the UBCO campus and the Kelowna airport. The property's north, south, and east of the proposed use are industrially zoned while the the area west of the proposed use is designated as Natural Area.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I2 – General Industrial	Industrial
East	I2 – General Industrial	Industrial
South	I2 – General Industrial	Industrial
West	P3 – Parks & Open Space	Natural Area

**Subject Property Map: 7-2030 Matrix Crescent**



## 5.0 Current Development Policies

### 5.1 Council Policy #359 – Liquor Licensing Policy and Procedures

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

- Small establishments should not be located beside another liquor primary establishment
- For the purposes of determining proximity, shortest walking distance (door-to-door) will be applied. These distances are meant to guide staff in their recommendations for particular applications, however, a number of other factors should be considered, including (but not limited to):
  - a) Pertinent input from the RCMP;
  - b) Vehicular and pedestrian traffic patterns for area and current zoning;
  - c) Availability of on-site and off-site parking; proximity of playgrounds, schools, and other social facilities;
  - d) Surrounding land-uses, and general impact on the local neighbourhood;
  - e) Correspondence received from abutting property owners;
  - f) Past licensee compliance and performance issues as may be provided by the LCLB.

## 6.0 Technical Comments

### 6.1 R.C.M.P.

- No concerns

## 7.0 Application Chronology

Date of Application Received: March 24<sup>th</sup> 2023

**Report prepared by:** Carson Mackonka, Planning Technician 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:**

Schedule A: Floor Plan/Site Plan/Occupant Load

Attachment A: Letter of Rationale