

LIQUID ZOO

274 LAWRENCE AVE

PUBLIC LOADING CALCULATIONS:

LICENSED BEVERAGE ESTABLISHMENT

MAIN FLOOR (PERSON 01) = **427 PEOPLE**
 STANDING: @ 0.40SM/PERSON
 TOTAL AREA = 1,857SF (173SM)
 ASSUME 25% FURNITURE = NET AREA OF 130SM/0.40 = 325 PEOPLE

FIXED SEATING: = 102 PEOPLE

UPPER FLOOR (PERSON 02) = **184 PEOPLE**
 STANDING: @ 0.40SM/PERSON
 TOTAL AREA = 939SF (87SM)
 ASSUME 25% FURNITURE = NET AREA OF 65SM/0.40 = 163 PEOPLE
 FIXED SEATING: = 18 PEOPLE
 POOL ROOM: @ 9.30SM/PERSON
 TOTAL AREA = 391SF (36SM)
 ASSUME 30% FURNITURE = NET AREA OF 25SM/9.30 = 3 PEOPLE

UPPER FLOOR (PATIO 1) = **54 PEOPLE**
 OPEN AND COVERED PATIO: @ 1.2SM/PERSON
 TOTAL AREA = 1014SF (94SM)
 ASSUME 25% FURNITURE = NET AREA OF 71SM/1.2 = 59 PEOPLE

TOTAL OCCUPANT LOAD = 670 PEOPLE
 REDUCED LOAD (UNIVERSAL TOILET ROOM) = 660 PEOPLE

LIQUOR LICENSE BREAKDOWN :
 PERSON 01 (~~10 REDUCED LOAD UNIV. TOILET ROOM~~) = **427 PEOPLE**
 PERSON 02 = 184 PEOPLE
 PATIO 1 = **54 PEOPLE**

INTENDED MAXIMUM OCCUPANT LOAD = 660 PEOPLE
 (TO BE POST IN CONSPICUOUS LOCATIONS ON BOTH FLOORS)

REQUIRED FIXTURE COUNTS:

50% MALE (330) = 6 (3 LAVS.) (PROVIDED: 7 (4 LAVS))
 50% FEMALE (330) = 11 (5 LAVS.) (PROVIDED: 12 (5 LAVS))
 PROVIDED 1 UNIVERSAL ACCESSIBLE TOILET ROOM

The **UPPER FLOOR** has a net floor area of **N/A** m². The maximum occupant load shall be **184** persons, based on

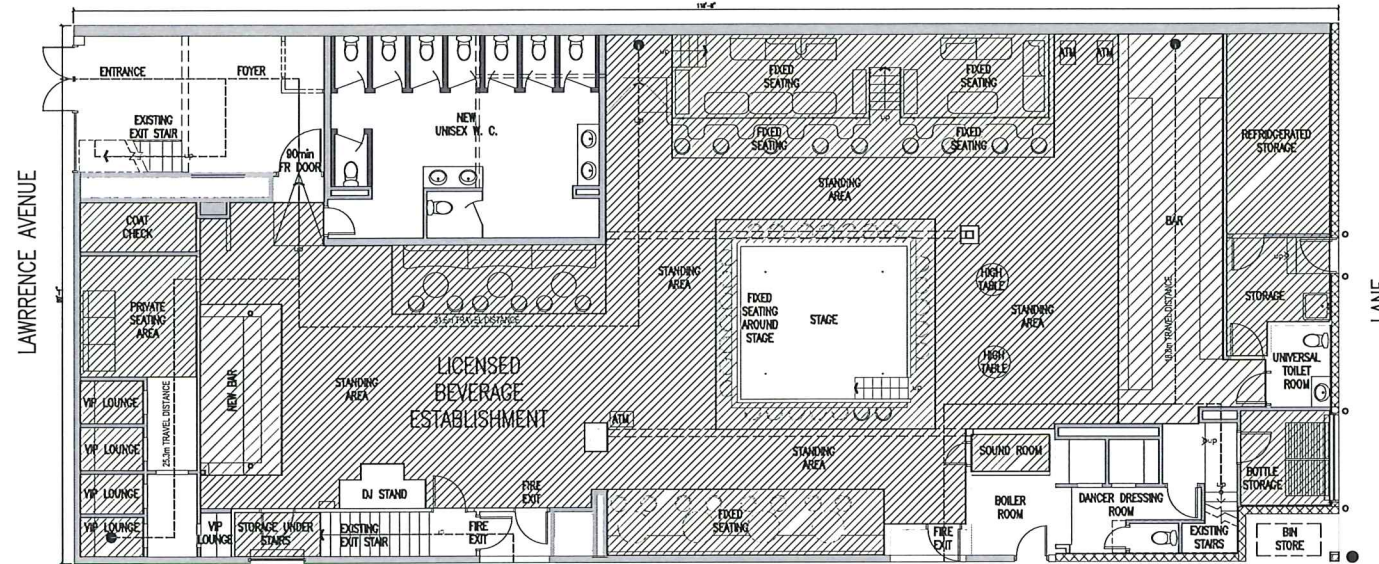
Architects Calculations

The **UPPER FLOOR PATIO** has a net floor area of **N/A** m². The maximum occupant load shall be **54** persons, based on

Architects Calculations

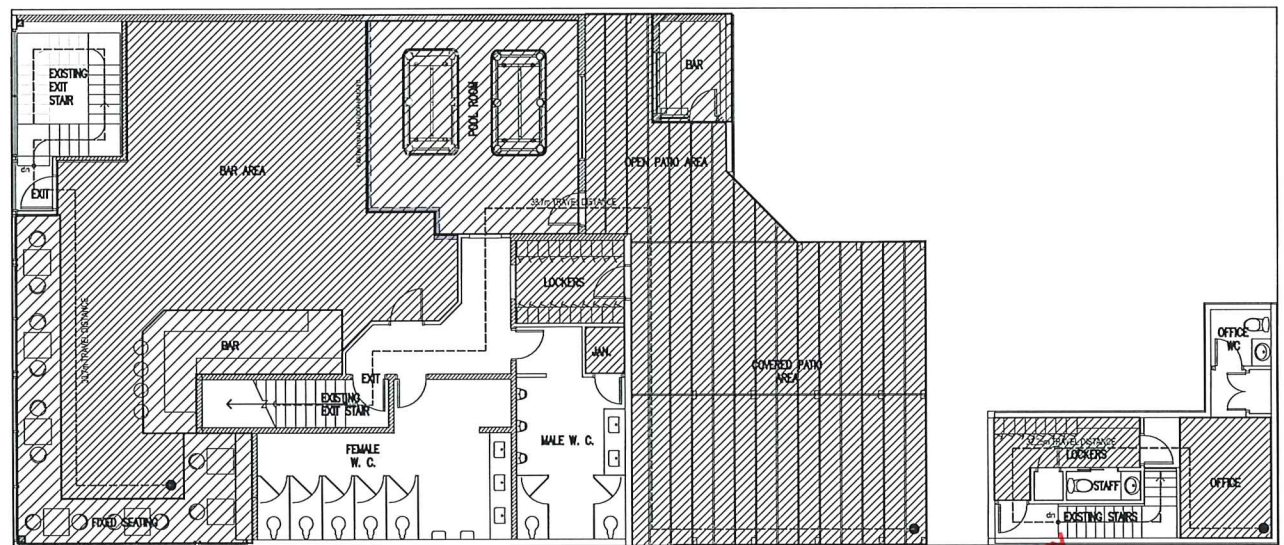
The **MAIN FLOOR** has a net floor area of **N/A** m². The maximum occupant load shall be **417** persons, based on

Architects Calculations



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

- STANDING AREA - 1857SF
- FIXED SEATING AREA - 912SF / 97 PEOPLE
- DINING AREA - N/A
- BAR AREA - 495SF
- OFFICE AREA - 25SF
- STORAGE AREA - 485SF



2 EXISTING UPPER FLOOR PLAN
 SCALE 1/8"=1'-0"

- STANDING AREA (POOL ROOM) - 391SF
- FIXED SEATING AREA - 241SF
- BAR AREA - 839SF
- OPEN AND COVERED PATIO AREA - 1014SF
- BAR AREA - 138SF
- OFFICE AREA - 100SF
- STORAGE AREA - 150SF

ATTACHMENT A
 This forms part of application
LL23-0005
 Planner Initials **LK**
 City of Kelowna
 DEVELOPMENT PLANNING

Reviewed by City of Kelowna Inspection Services
 MAY 02 2023
 *UPDATED DUE TO WALL REMOVAL.
FOR BP AND LIQUOR LICENSE

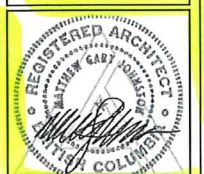
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All trades are to execute the work in accordance with the current municipal building bylaws and requirements of other local authorities having jurisdiction as well as the British Columbia Building Code - (most recent edition) including all published amendments and addenda. All trades shall assume full responsibility for the location and protection of all under and above ground utilities, wires and conduit connections, including (but not limited to) water, sewer, gas, hydro and telephone.

Revision No.	Date and Description
06.26.19	LIQUOR LICENSE
11.05.19	AS-BUILT UPDATE
11.12.19	AS-BUILT UPDATE
01.28.20	AS-BUILT ISSUE
06.09.20	LIQUOR LICENSE CLARIFICATION
01.24.23	FOR REVIEW
04.12.23	BP&LIQUOR LICENSE

Plot Date 14-APR-23	Drawing No. A-002
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PROJECT
 274 LAWRENCE AVE.
 LIQUID ZOO AS-BUILT
 DRAWING TITLE
 OCCUPANT LOAD
 CALCULATIONS



ATTACHMENT	B
This forms part of application # LL23-0005	
Planner Initials	LK
 City of Kelowna DEVELOPMENT PLANNING	



274 Lawrence Ave.
Kelowna BC. V1Y 6L3

April 26, 2023

To: City of Kelowna

As a successful business in Kelowna for over a decade, *The Liquid Zoo* is deeply grateful for the support the city has offered over the years. When we opened our doors, we understood that a nightclub like ours achieves acceptance and longevity through consistent efforts toward responsible operation and respect for our neighbors. With your help and guidance, we have achieved both objectives.

We are writing today to ask for your consideration in allowing us to extend our operating hours to 3 am. We are always sensitive to the concerns of the community and wish to offer our reassurance based on our history of responsiveness and proactive steps to preserve the security of our neighbors:

- In 2013, we were the first in the area to implement Patron Scan, the ID scanning system allowing us to identify individuals who might threaten public safety.
- In the same year, we implemented a policy of physical pat-downs for all patrons, further ensuring the safety of our guests.
- We strictly enforce a policy of seizing all narcotics and turning them over to the RCMP.
- We took the lead in implementing "The Standard," a cooperative association of downtown licensed premises that work together to ensure a safer community.
- All of our security personnel are professionals, licensed with their BST and AST (allowing for arrest and the use of handcuffs).

Our request to extend our hours to 3 am reflects our observation over the last five years of the impact of implementing extended hours in similar circumstances.

- Staggered closing hours allow cab companies to respond more efficiently to demand and lessen the congregation of individuals outside closed establishments.
- With extended hours, our security staff can provide extended supervision, lessening outside incidents requiring the response of the RCMP.

We have always been cognizant of the City of Kelowna's bylaws, respected the concerns of the local LCRB inspectors, and maintained productive communication with our RCMP.

With the upcoming tourist season, *The Liquid Zoo* expects a record year. Extending our operating hours to 3 am will help us meet our responsibility to help maintain a safe environment for the citizens and visitors of the City of Kelowna.

We are also requesting an increase in capacity to meet the fire code capacity of the building. The fire code has always had a higher capacity than the liquor license. The building is designed to function at 655 patrons with all safety issues considered. The current liquor license permits 500. We are requesting the license capacity to be increased to 655.

We are grateful for your consideration and will be happy to answer any questions or respond to your concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Becky Komant". The signature is written in black ink and features a large, stylized loop at the end of the name.

Becky Komant



Kelowna RCMP Detachment
1190 Richter Street
Kelowna, BC
V1Y 2K7

Telephone: (250) 762-3300
Fax: (250) 470-6365

April 19, 2023

The RCMP have reviewed the applicant's request and would like to provide the following feedback under section 19(1) of the LCLA and Section 10.7.1 of LCRB Policy with regard to Public Interest and Public Safety concerns. These concerns relate to the application by the Liquid Zoo for;

- Application of the extension of service/operation hours from 2am to 3am,
- An increase in the occupant load from 500 persons to 650 persons.

Our concerns are broken down into three sections related to Policy and Research, RCMP Resourcing and Community Safety and RCMP Operations and Safety.

Policy and Research

Based on available policy and research the Kelowna RCMP have very serious concerns about the policing, community safety, health impacts of allowing a bar to increase its capacity by 150 patrons and, to remain open with patrons consuming alcohol an additional hour. Research indicates this policy matter may have significant implications on police and medical resources, crime, victimization and community safety as well as public safety from impaired driving risks. For example, [one study](#) (2012), found "each 1-hour extension of closing hours was associated with a statistically significant increase of 4.8 assaults per 100,000 inhabitants per quarter." As further evidence, we point to a [meta-analysis of research into the impacts of changes to permitted hours of drinking](#) (2009) in which 11 of 14 methodologically sound studies "reported at least one significant outcome indicating adverse effects of increased hours or benefits from reduced hours". As further evidence, we point to a meta-analysis of research into the impacts of changes to permitted hours of drinking (2009) in which 11 of 14 methodologically sound studies "reported at least one significant outcome indicating adverse effects of increased hours or benefits from reduced hours". The international literature reviewed concludes that, "extended late-night hours lead to increased consumption and related harms". Other studies indicate efforts by police or cities to mitigate these increased risks and harms are costly and yet ineffective.

In addition, two Kelowna liquor policy initiatives have also considered and discouraged liquor primary closings beyond 2am. Those include the'

- 2004 Mayor's Entertainment District Task Force
 - There is clearly a desire by the nightclub owners and some members of the community to extend the actual hours of liquor service as well. The City of Nanaimo, recently prepared a Liquor Control Strategy. The problems facing the City of Nanaimo parallel those found in Kelowna. They were concerned about recent changes to the liquor legislation and the impact the changes would have on the downtown core. In particular, the City of Nanaimo also has a problem with a concentration of nightclubs in one area of the downtown, creating problems with rowdiness and vandalism. They are also concerned about livability issues. As part of the City of Nanaimo's strategy, Allan Neilson-Welch, consultant, conducted extensive research regarding the issue of "extending hours". In Nanaimo, as in Kelowna, the RCMP expressed concern about extending the hours of liquor service and made these observations:
 - 1 · the mass exodus that presently occurs at 2:00 a.m. on weekends would simply be deferred until 4:00 a.m.
 - the requirement for police to be on-hand in significant numbers would wreak havoc on RCMP scheduling which, in turn, would result in significant overtime costs

- the binge drinking that occurs at 1:45 a.m. could just as easily occur at 3:45 a.m.
 - the public disorder that seriously impacts the downtown community on weekend nights would continue even longer into the early morning
 - an increase in liquor service hours would further enhance the social acceptability of alcohol and excessive drinking
 - the risks to the community resulting from a change in hours are not warranted in order to satisfy the demand of a very small portion of the population.
- The Task Force does not support the extension of hours within the City of Kelowna at this time, although the focus of concern is the “Yellow Area” Land Use Area 2 of the Downtown Plan. The other issue when considering whether to extend operating hours is inter-municipal consistency. For example, would patrons travel to Penticton if the liquor establishments are opened longer than those in Kelowna? Would this increase the number of drinking drivers in the region? Every municipality will have to make its decisions based on what is the right course of action for its circumstances. The Task Force does not deny the possibility that inter-municipal travel, because of different closing hours, may become an issue. However, the Task Force concurs with the Nanaimo Strategy findings that the problems associated with the extension of hours outweigh the community benefits.
- 2010 Kelowna Liquor Policy review
 - Supporters of later hour suggest that the typical “bar-flush” issues that occur between 2am and 3am would be mitigated, as patrons would have a longer period to leave the establishment. However, additional research suggest that additional hours merely encourages more excessive drinking and would exacerbate late-night community disturbance issue.
 - The RCMP recommend that the closing hours remain no later than 2am.

Kelowna RCMP Resourcing and Community Safety

Concern over crime in Kelowna have escalated quickly in recent years. Kelowna’s 2020 Citizen Survey indicates that safety concerns and social issues are the most cited reasons for saying that the quality of life in Kelowna has worsened.

Due to Kelowna’s status as a major tourist destination, demands on the RCMP are different than comparable sized cities due to the influx of a large seasonal population. 2021 research noted 169% more crime in Kelowna than the BC average and Kelowna RCMP members handle a workload that is 45% higher.

Further, the Statistics Canada Crime Severity Index for 2021 indicates Kelowna as 2nd highest among 35 CMAs nationally, driven by:

- A Violent CSI of 110.76 that was 7th of the 35 CMAs for Violent CSI. This is an increase of 33% from 2019 when Violent CSI was 83.16.
- A Non-Violent CSI of 126.15 that was 2nd overall of the 35 CMA’s. This is a decrease of 6.2% from 2019 when Non-Violent CSI was 134.55. This decrease may be a result of the Covid restrictions.

In November 2019, the City of Kelowna and Kelowna RCMP received the report and recommendations of a Kelowna RCMP and Police Services Resource Review. Among the primary recommendations of the study was:

- 56 additional police officers recommended to meet current policing demands. This reflects a need to immediately increase local policing capacity by 20 percent.

Consideration should be given that since this report the population of Kelowna has increased by 7.5% and only 25 of the 56 recommended officers have been received.

Further the study found:

- Statistical analysis of priority 1 call volume/time shows a spike at 3am on Friday night/Saturday morning. This coincides with the end of current “bar-flush”.
 - The study also notes spikes on Friday and Saturday nights during the summer.
 - While members on day shifts field more calls, the severity of calls at night is considerably higher requiring more resources to safely and appropriately respond. Adding demands during these already critical nighttime hours when resources may be strained invites unnecessary risk to public safety.

RCMP Operations and Safety Concerns

RCMP member schedules and shift changes have been created around the current 2am close. Extending the nightclub hours will push back the “reaction/resolution” time for policing resources if occurrences were to happen after a 3am close rather than after a 2am close. If the nightclubs remain open until 3am (or later), all related investigations such as assaults, impaired driving, cause a disturbance files etc. have the potential to cause additional member overtime due to the proximity to shift change timing.

It is also important to note that neighboring municipalities would be negatively affected by the proposed change. People leaving Kelowna nightclubs later will be arriving at their homes later. The District of Lake Country RCMP detachment currently closes at 4am. Any calls after that time involve pulling a Kelowna RCMP member away from the Rutland area to cover the response. This reduces the RCMP level of service in the Rutland area of Kelowna.

In addition to the operational and resourcing concerns above, the RCMP continue to observe a lack of taxi and rideshare services to quickly reduce patrons at the time of “bar-flush” (between 2-3am). This issue will be further exasperated with an increased occupancy load of 500-650 people, and later nightclub closings lack of taxi services will result in larger numbers of intoxicated patrons on downtown streets with few safe/legal opportunities to get home.

Conclusion

While the request for neighborhood feedback relating to these applications may not have yielded detailed concerns from adjacent business, we believe the information presented above clearly shows that extended nightclub hours as proposed will have an immediate and detrimental impact on Kelowna’s ability to maintain/improve community safety and is therefore not in the public interest.

- Kelowna’s crime index is trending in the wrong direction and these types of requests will only exasperate the City’s efforts to move this measure in the correct direction.
- Additional nightclub operating hours beyond 2am will cause operation impacts to the RCMP that may result in reduced levels of service in both Kelowna and neighboring communities.
- An increase in occupancy levels will further exasperate the ability of people to get home in a safe and legal manner due to the critical shortage of taxis and ride share options at this time, which further draws out the time people are loitering in the down town core, not able to get home and becoming frustrated and confrontational leading to fights, rowdiness and vandalism.
- The Kelowna RCMP handle 45% more work volume than their counterparts elsewhere in BC. This combined with a shortage of members means that discretionary changes such as nightclub operating hours will further strain resources and hinder efforts to have officers focus on community safety issues of the highest importance.
- Both international research and local policy recognize that extended nightclub/liquor primary operating hours work contrary to public safety efforts and can be costly for municipalities

Thank you for your consideration;



Kara Triance, O.3086 (Supt.)
Officer in Charge
Kelowna Regional RCMP Detachment