

REPORT TO COUNCIL

LIQUOR LICENSE



Date: June 18, 2024
To: Council
From: City Manager
Address: 1559 Ellis St
File No.: LL24-0004

	Existing	Proposed
OCP Future Land Use:	UC- Urban Centre	UC- Urban Centre
Zone:	UC1 – Downtown Urban Centre	UC1 – Downtown Urban Centre

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 Karyn Mackenzie for a Patron Participation Entertainment Endorsement to an existing Food Primary license for Lot 12 District Lot 139 ODYD PLAN 1347, located at 1559 Ellis St, Kelowna, BC for the following reasons:
 - The Patron Participation Entertainment Endorsement is perceived to have minimal impact on the community and surrounding properties.
2. Council's comments on LCRB's prescribed considerations are as follows:

Criteria for new food primary with Patron Participation Entertainment Endorsement:

- a) The potential for noise if the application is approved:
 The potential impact for noise is minimal as the Patron Participation Entertainment Endorsement would be limited to the existing hours of operation and be located indoors.
 - b) The impact on the community if the application is approved:
 The potential for negative impact on the community is considered minimal as it is an existing establishment.
 - c) If the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose:
 The operations would be consistent with the primary purpose of food primary establishment.
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 Patron Participation Entertainment Endorsement to an existing Food Primary license.

3.0 Development Planning

The applicant is seeking to obtain a Patron Participation Entertainment Endorsement for an existing Food Primary license at DunnEnzies Pizza Co., downtown location. The endorsement area is in the main dining/bar area, which has a maximum capacity of 60 people. The applicant is not seeking a change to the current capacity. The endorsement would permit the operator to have live music and patron dancing. Patrons would also be able to participate in karaoke, trivia, and open microphone events. There is no outdoor patio at this location. The hours and operation will be consistent with the existing terms of the Food Primary license.

4.0 Project Details

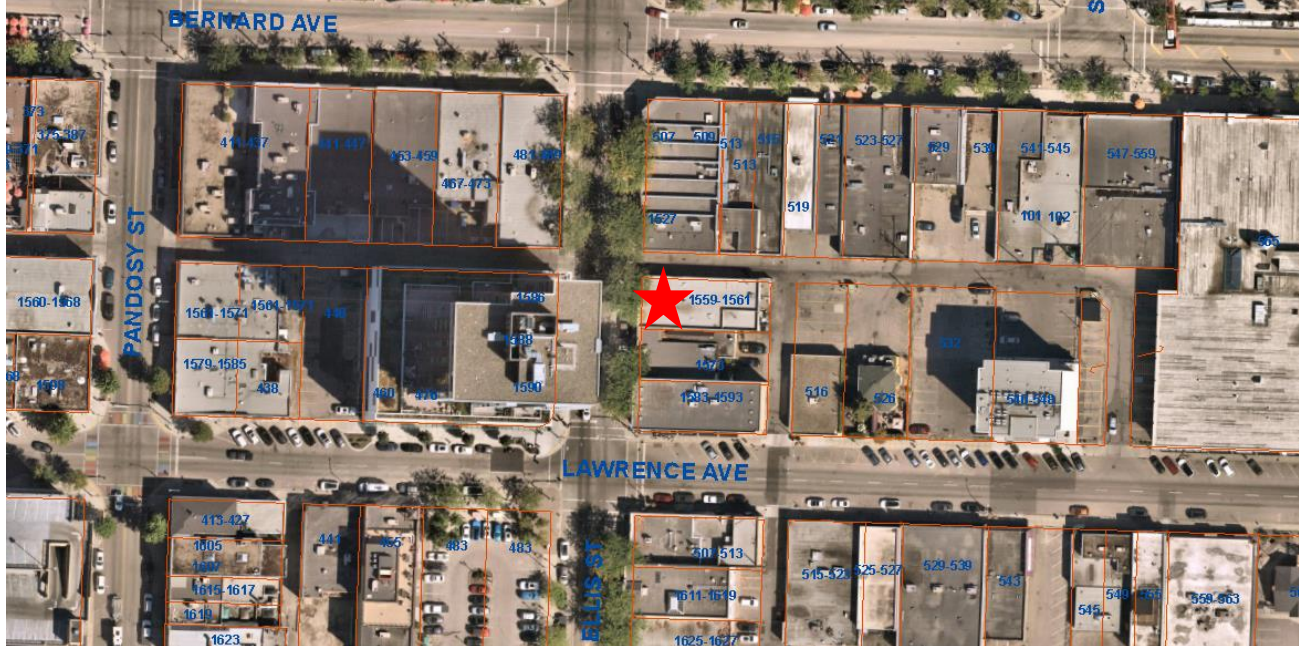
Existing Hours of Sale:

		Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Open		12:00 PM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	12:00 PM
Close	Indoor	10:00 PM	10:00 PM	10:00 PM	10:00 PM	10:00 PM	3:00 AM	3:00 AM
	Patio	N/A	N/A	N/A	N/A	N/A	N/A	N/A

5.0 Site Context & Background

Orientation	Zoning	Land Use
North	UC1 – Downtown Urban Centre	Financial Services
East	UC1 – Downtown Urban Centre	Apartment Housing / Food Primary Establishment
South	UC1 – Downtown Urban Centre	Personal Service Establishment
West	UC1 – Downtown Urban Centre	Parking Lot

Subject Property Map: 1559 Ellis St



6.0 Current Development Policies

6.1 Council Policy #359 – Liquor Licensing Policy and Procedures

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

- 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 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.).

7.0 Technical Comments

7.1 R.C.M.P.

Police have no concerns with this application.

8.0 Application Chronology

Application Accepted: March 13, 2024

Public Consultation Completed: April 26, 2024

Report prepared by: Sara Skabowski, Planner I

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Nola Kilmartin, Development Planning Department Manager

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

Attachments:

Attachment A: Floor Plan/Site Plan

Attachment B: Letter of Rationale

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.