

REPORT TO COUNCIL

LIQUOR LICENSE



Date: June 18, 2024
To: Council
From: City Manager
Address: 4638 Lakeshore Rd
File No.: LL24-0005

	Existing	Proposed
OCP Future Land Use:	NCOM – Neighbourhood Commercial	NCOM – Neighbourhood Commercial
Zone:	C2 – Vehicle Oriented Commercial	C2 – Vehicle Oriented Commercial

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 1 Section 25 Township 28 SDYD PLAN EPP68343, located at 4638 Lakeshore Rd, 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 hours of the Patron Participation Entertainment Endorsement would be limited to 11:00 PM on the outdoor patio which is consistent with other licensed patioed areas in the City and compatible with adjacent land uses.
 - 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 the Lower Mission DunnEnzies Pizza Co. restaurant. The endorsement area is in the main dining/bar area, including the outdoor patio, which has a total maximum capacity of 170 people. The applicant is not seeking a change to the current capacity. The endorsement would permit the operator to have live music and patrons dancing. Patrons would also be able to participate in karaoke, trivia, and open microphone events. The hours on the outdoor patio will be consistent with other approved outdoor patios, where any activity under the Patron Participation Entertainment Endorsement will conclude by 11:00pm.

4.0 Project Details

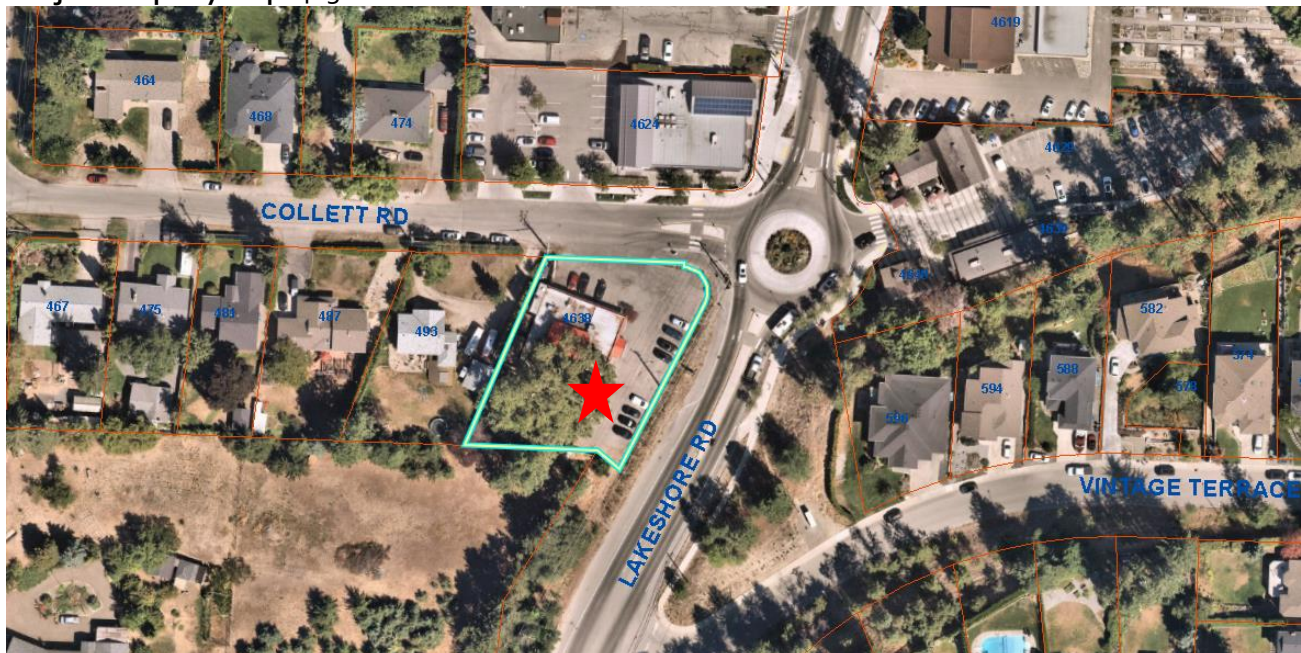
Existing Hours of Sale:

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

5.0 Site Context & Background

Orientation	Zoning	Land Use
North	C2 – Vehicle Oriented Commercial	Mission Creek Animal Hospital
East	P3 – Parks and Open Space	Open Space
South	A1 - Agriculture	Vacant
West	RU1 – Large Lot Housing	Single Detached Dwelling

Subject Property Map: 4638 Lakeshore Rd



The subject property is located at the intersection of Lakeshore Rd and Collett Rd in the Lower Mission. This neighbourhood corridor includes a variety of uses including a veterinary hospital, Barn Owl Brewing, a market, a salon, a church, and other commercial uses.

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

Neighbourhood Notification: 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.