

REPORT TO COUNCIL

LIQUOR LICENSE



Date: September 10, 2024
To: Council
From: City Manager
Address: 110 88g Vaughan Ave
File No.: LL24-0009

	Existing	Proposed
OCP Future Land Use:	IND – Industrial	IND – Industrial
Zone:	I2 – General Industrial	I2 – General Industrial

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 Born to Shake for a liquor primary license amendment for Strata Lot 10 Section 30 Township 26 ODYD Strata Plan EPS7283 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, located at 110 88g Vaughan Ave, Kelowna, BC for the following reasons:
 - Proposed structural changes are perceived to be minor in nature, RCMP do not have concerns, and no bylaw complaints.
2. Council’s comments on LCRB’s prescribed considerations are as follows:
 - a. The potential for noise if the application is approved:

The potential impact for noise is minimal as the area supports industrial and commercial land uses with only a few businesses operating during similar hours. Additionally, the patio is limited to 28 persons reducing the outdoor noise impact.
 - b. The impact on the community if the application is approved:

The potential for negative impacts is minimal as the area supports several similar land uses and there are no large occupancy liquor establishments in close proximity.
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 structural change application to increase the capacity from 54 persons to 114 persons.

3.0 Development Planning

Staff support the request to increase the capacity of the existing Liquor Primary Licence known as Born to Shake. The current establishment is located in an established commercial and industrial area. The area is experiencing a state of transition with several large apartment housing projects being developed on the south side of Clement Ave. The proposed structural change is not anticipated to have negative impacts on the surrounding land uses.

The business is looking to increase capacity in their mezzanine space, main floor, and patio area. The impact on the surrounding community is anticipated to be minimal due to a combination of factors including:

- No bylaw complaints have been received to date;
- The surrounding area contains similar land uses; and
- RCMP do not have concerns with the proposed expansion.

4.0 Project Details

Existing Hours of Licence:

		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	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM
	Patio	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM

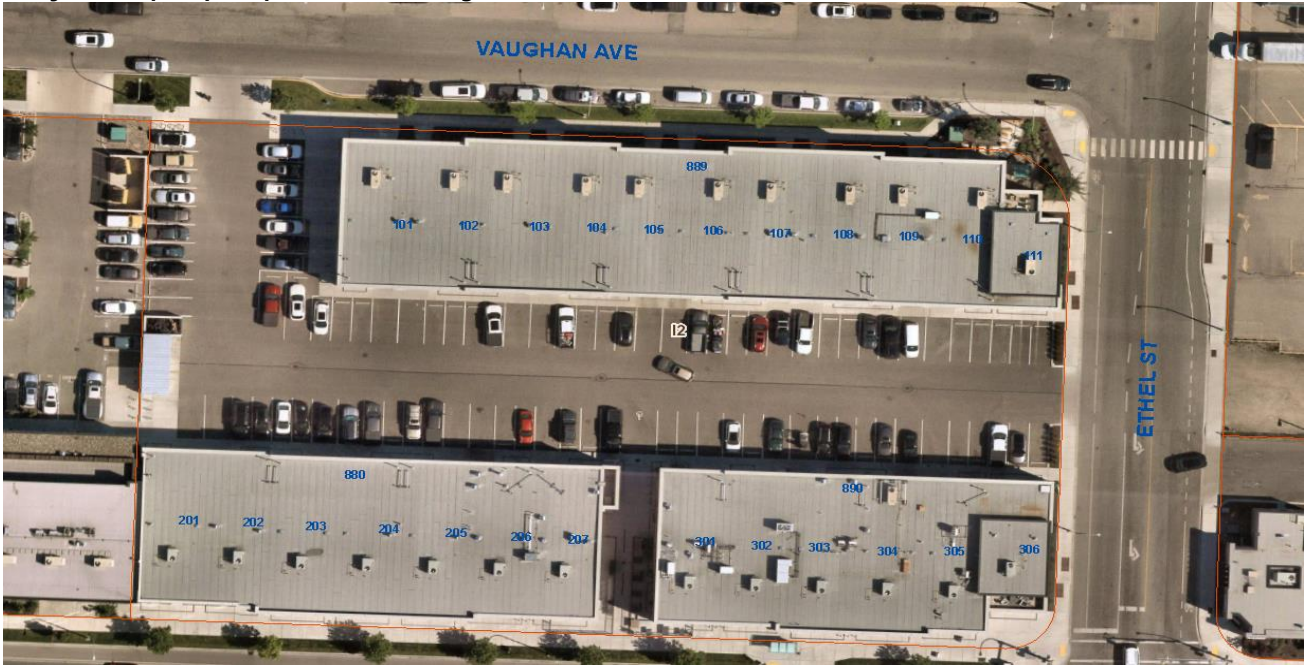
Occupant Load:

	Existing	Proposed
Indoor	30	86
Outdoor	24	28

5.0 Site Context & Background

Orientation	Zoning	Land Use
North	I2 – General Industrial	Manufacturing
East	I2 – General Industrial	Manufacturing
South	MF1 – Infill Housing	Single Detached Housing
West	I2 – General Industrial	Retail

Subject Property Map: 110 – 889 Vaughan Ave



The subject property is located on Vaughan Ave, between Richter St and Ethel St. The surrounding area is a mix of commercial, industrial, and residential uses. Born to Shake is located within unit 110 which is in the Northeast corner of the site.

5.1 R.C.M.P.

No concerns.

6.o Application Chronology

Application Accepted: June 12, 2024

Neighbourhood Notification Received: July 19, 2024

Report prepared by: Jason Issler, Planner II
Reviewed by: Jocelyn Black, Urban Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

Attachments:

Attachment A: Floor Plan/Site Plan/Occupant Load

Attachment B: Letter of Rationale

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