

# REPORT TO COUNCIL

## LIQUOR LICENSE



**Date:** September 10, 2024  
**To:** Council  
**From:** City Manager  
**Address:** 327 Bernard Ave  
**File No.:** LL24-0016

	Existing	Proposed
<b>OCP Future Land Use:</b>	UC – Urban Centre	UC – Urban Centre
<b>Zone:</b>	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 Urban Distilleries Inc. for a Lounge Endorsement for Lot 11 Block 14 District Lot 139 ODYD Plan 462, located at 327 Bernard Ave, Kelowna, BC for the following reasons:
  - Council Policy No. 359 recommends supporting small establishments (capacity less than 100 persons) when not located adjacent to another Liquor Primary Establishment.

2. Council’s comments on LCRB’s prescribed considerations are as follows:

Criteria for a Lounge Endorsement on a Manufacturing License:

- a. The location of the Lounge Endorsement:  
 The location is on Bernard Ave in a section that is closed for “Meet Me on Bernard” during the summer months with high pedestrian traffic.
- b. The proximity of the Lounge Endorsement to other social or recreational facilities and public buildings:  
 The proposed establishment is in close proximity to several Food Primary Establishments, Liquor Primary’s, and Manufacturing establishments.
- c. The person capacity of the Lounge Endorsement:  
 The proposal is for a 91-person capacity.
- d. Traffic, noise, parking and zoning:  
 Bernard Ave is an activated area with high pedestrian traffic. Several months of the year this section of Bernard Ave is closed to vehicular traffic. Noise from this establishment is not anticipated to be a concern and the proposed use is compliant with zoning.
- e. The impact on the community if the application is approved:  
 The potential for negative impact on the community is considered minimal.

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 Lounge Endorsement.

**3.0 Development Planning**

Staff are supportive of the Manufacturer Licence with a Lounge Endorsement to allow customers to consume greater quantity samples than permitted under a manufacturing licence. This area of Bernard Ave is already home to several small Food Primary Establishments, Liquor Primary Licences, and Manufacturing Licences. The proposed establishment is located within the Downtown Urban Centre in an area that has a large focus on pedestrian experiences and cultural activities. 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 91 persons;
- Hours of operation are in line with similar businesses in the area; and
- Compatible with surrounding land uses.

Council Policy No. 359 recommends supporting Lounge Endorsement applications for small establishments when not abutting another small Liquor Primary Establishment.

**4.0 Project Details**

**Proposed Hours of Operation:**

		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	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM
	Patio	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM

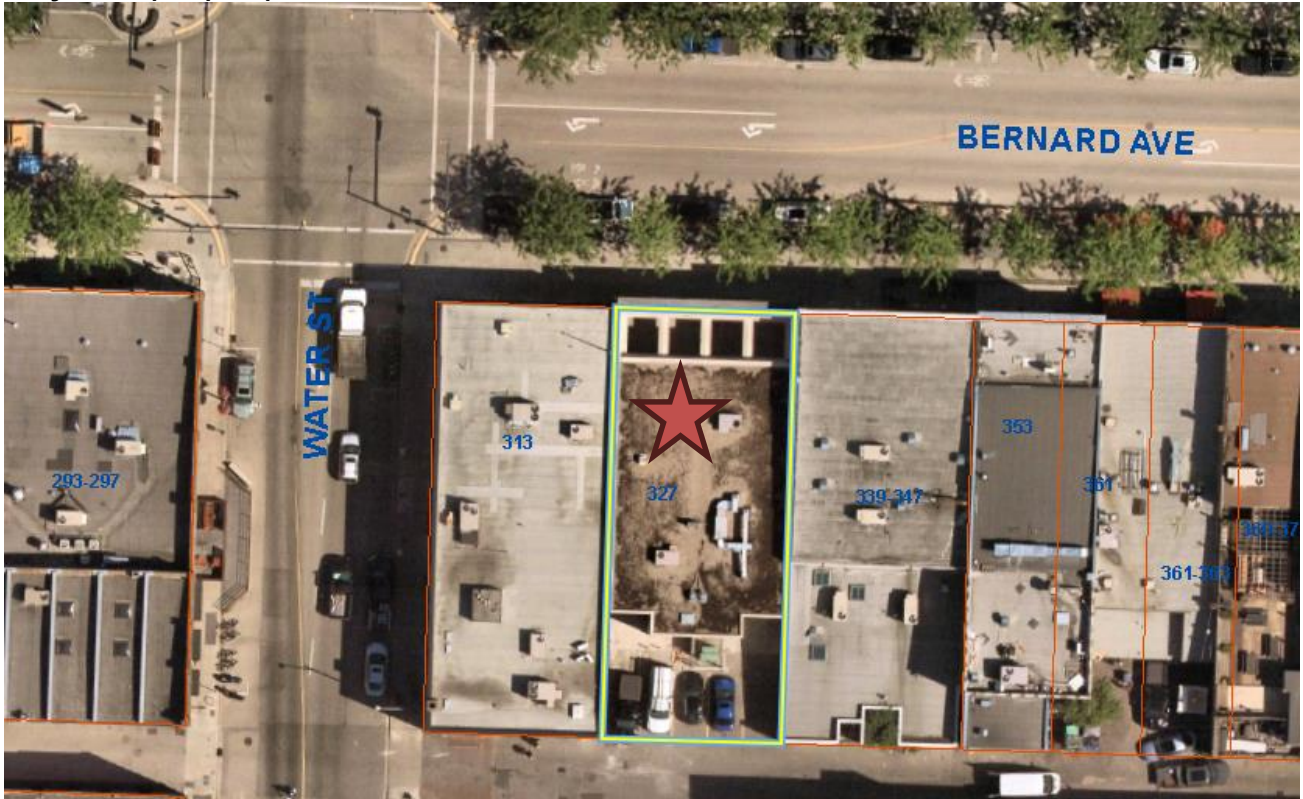
**Occupant Load:**

	Existing	Proposed
<b>Indoor</b>	NA	69
<b>Outdoor</b>	NA	22

**5.0 Site Context & Background**

Orientation	Zoning	Land Use
North	UC1 – Downtown Urban Centre	Office
East	UC1 – Downtown Urban Centre	Office, Retail, Food Primary
South	UC1 – Downtown Urban Centre	Non-Accessory Parking
West	UC1 – Downtown Urban Centre	Retail

**Subject Property Map: 327 Bernard Ave**



**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:

- New patios associated with liquor establishments should be located and designed to limit potential impacts on surrounding property owners
- Small establishments (with person capacity less than 100 persons):
  - Should not be located beside another liquor primary establishment.

**7.0 Technical Comments**

**7.1 R.C.M.P.**

- No Concerns

**8.0 Application Chronology**

Application Accepted: July 31, 2024  
Public Notification Completed: August 9, 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](http://www.kelowna.ca/currentdevelopments).