



City of
Kelowna

Updates to Council Policies 223, 310, and 359

Liquor Licence Policies

Council Policy 359 – Liquor Licencing Policy

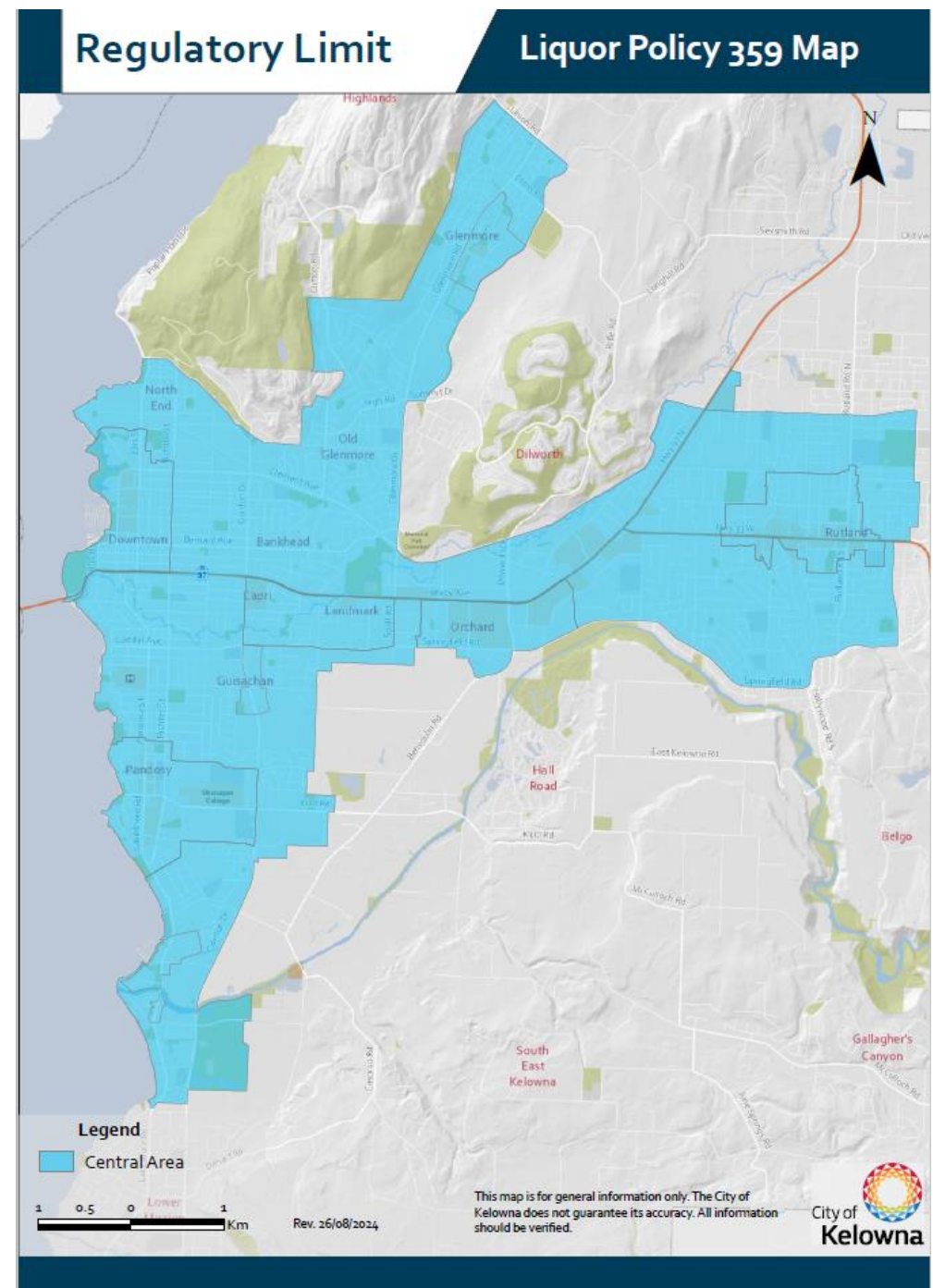
- ▶ Current version was completed February 2011;
- ▶ The landscape for liquor has evolved significantly over past decade;
- ▶ LCRB has made changes to licencing names and types;
- ▶ Modernization of the policy was needed.

Liquor Establishments – Kelowna Context

- ▶ 83 Liquor Primary Licences
- ▶ 46 Manufacturing Licences
 - ▶ 18 Breweries
 - ▶ 4 Distillery's
 - ▶ 22 Wineries
 - ▶ 2 Co-Packed

Changes proposed – Policy 359 Map

- ▶ Create a custom map specifically for Policy 359.
- ▶ Establishes a “Central Area” where policy will be different depending on location within or outside this area.
- ▶ Supported by RCMP to ensure adequate resources and public safety.



Changes proposed – Hours

- ▶ The current policy does not have a section dedicated to hours of operations.
- ▶ Standard has been 2 am for indoors and 11 pm for outdoors.

- ▶ The new policy will include a dedicated section for hours of operations. This section will include:
 - ▶ Outdoor patios, roll shutters, or similar large openings must close by 11 pm
 - ▶ Hours are only permitted between 9 am and 2 am within the “Central Area” and between 9 am and 12 am outside the “Central Area”.
 - ▶ Amplified music must not occur after 11 pm.

Changes proposed – Capacity

- ▶ The current policy restricts to capacity of 500 persons.
- ▶ Proposed policy change is to maintain capacity of limit of 500 persons, however, capacity can be increased with reduced hours to 12 am.
- ▶ Establishments can be considered at a capacity greater than 500 when for cultural or event driven establishments.

Changes proposed – Siting

- ▶ Current Policy dictates siting based on size of establishment

The above siting guidelines are summarized in the following table:

Establishment Type	Siting requirements from:			Location
	Small (<100 persons)	Medium (100-249 persons)	Large (250+ persons)	
Small (<100 persons)	Not beside	Not beside	Not beside	City-wide
Medium (100-249 persons)	Not beside	Minimum 100m separation	Minimum 100m separation	Urban or Village Centre
Large (250+ persons)	Not beside	Minimum 100m separation	Minimum 250m separation	Only Urban Centre

- ▶ Proposed policy seeks to keep a separation of 250 m for establishments 500 persons or greater outside the Downtown Urban Centre.
- ▶ No separation requirements within Downtown Urban Centre.

Challenges with Existing Policy

- ▶ Existing Policy only regulated the siting of Liquor Primary Establishments
 - ▶ Liquor Primary Establishments are primarily focused on liquor consumption
 - ▶ Manufacturing Establishments require on-site manufacturing of alcohol
 - ▶ Food Primary Establishments require food service during all opening hours and cannot remain open after 12 AM without Local Government approval

Challenges with Existing Policy

- ▶ Existing Policy only regulated the siting of Liquor Primary Establishments
 - ▶ Liquor Primary Establishments vary widely and include nightclubs, brewpubs, civic facilities, sports facilities, private clubs, hair salons, retail businesses, arcades, sportsfields, golf courses etc.
 - ▶ Manufacturing Establishments and Food Primary can be almost indistinguishable from Liquor Primary Establishments in their operations
 - ▶ Live or recorded music, events, dancing, karaoke, games, selling a wide range of drinks (cocktails, beer, wine, cider, shots etc.)
 - ▶ No policy guidance for Manufacturing or Food Primary Licenses for staff or Council to consider when reviewing applications

Liquor Primary



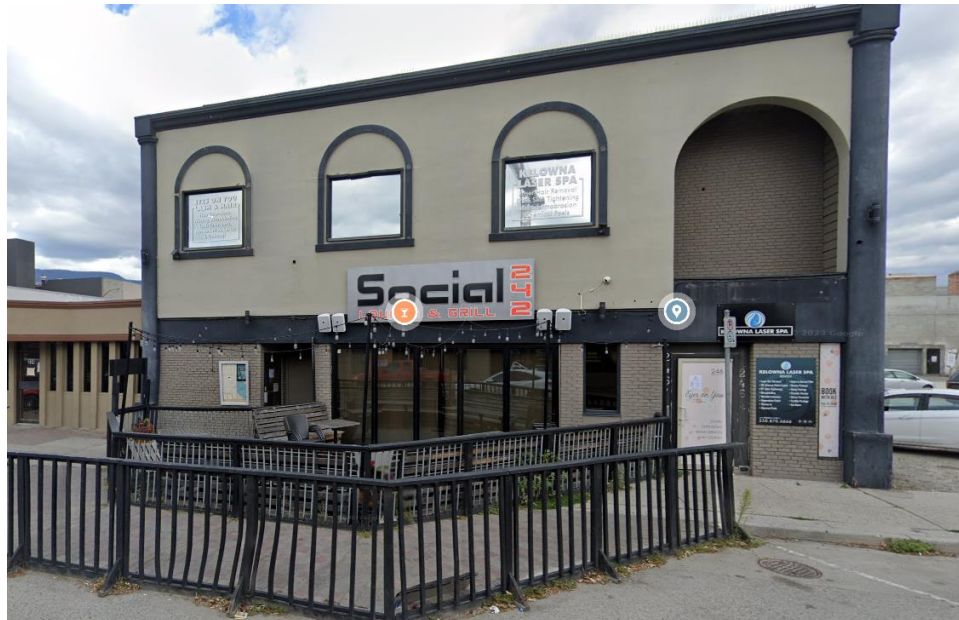
owna

Manufacturing Establishment



City of Kelowna

Food Primary



owna

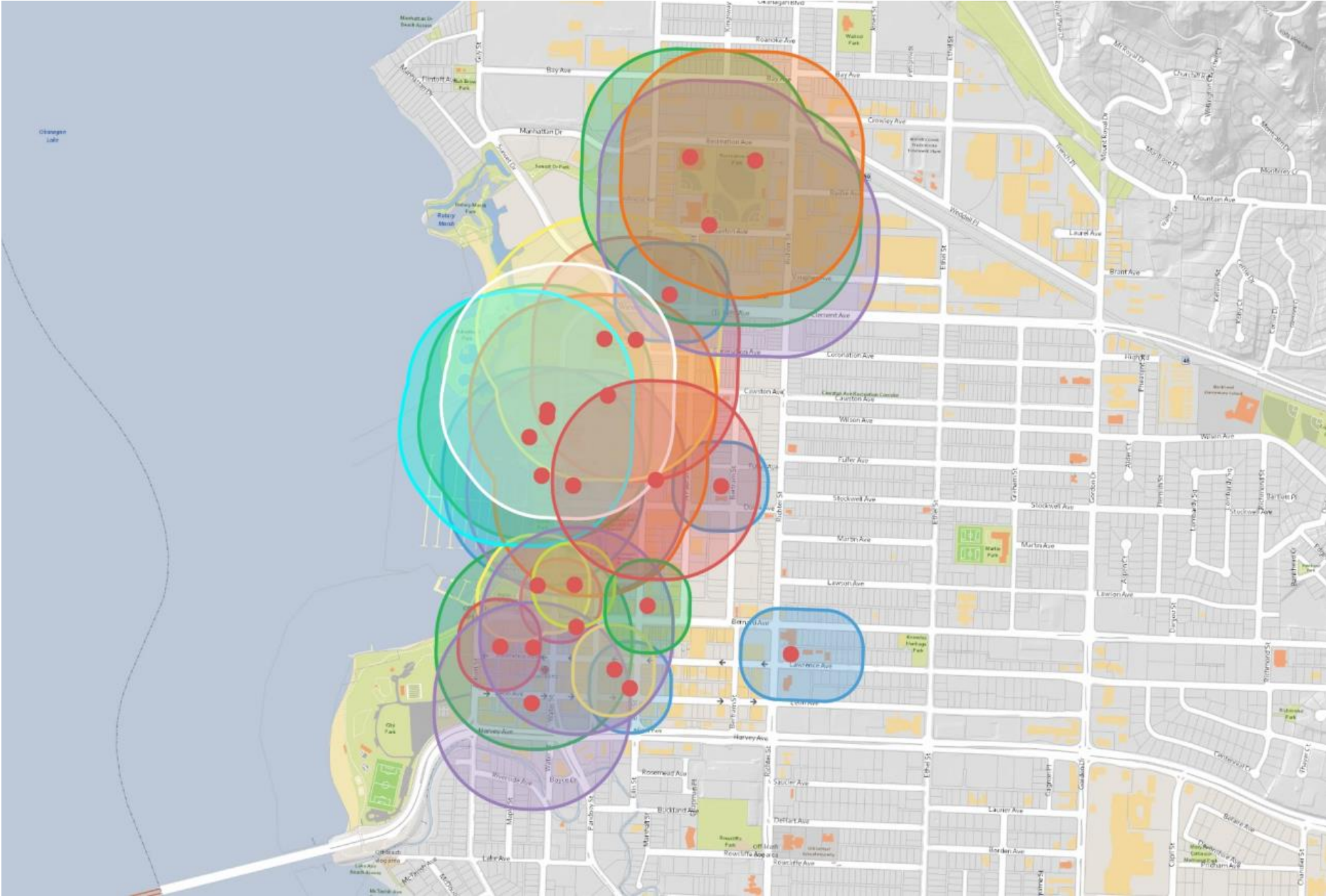
Challenges with Existing Policy

- ▶ Prescriptive

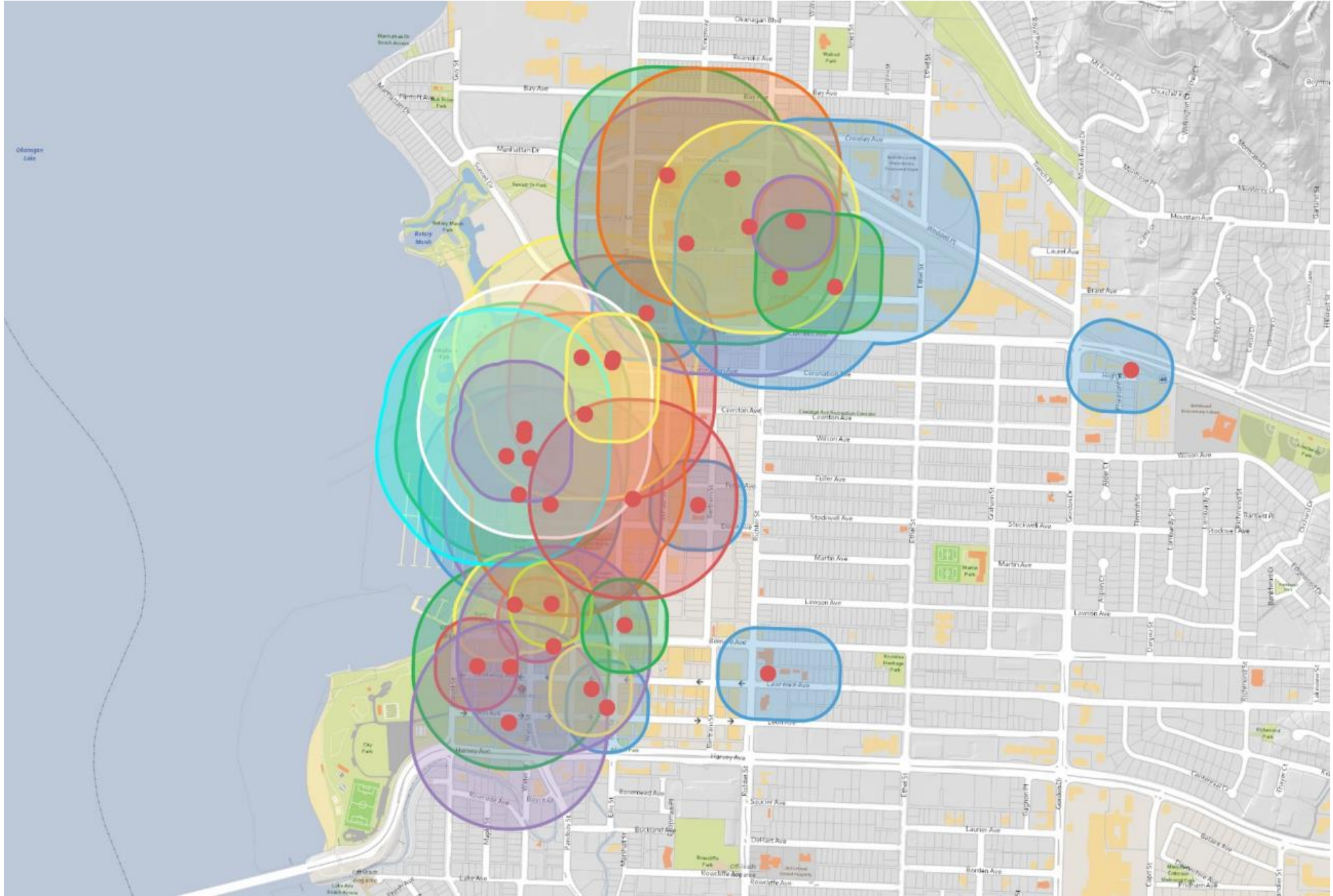
- ▶ Differentiation between Small/Medium/Large establishments is arbitrary and does not consider nature of operation
- ▶ Separation distances are arbitrary
 - ▶ Inconsistently applied (ex: virtually every downtown establishment contravenes separation requirements)

Establishment Type	Siting requirements from:			Location
	Small (<100 persons)	Medium (100-249 persons)	Large (250+ persons)	
Small (<100 persons)	Not beside	Not beside	Not beside	City-wide
Medium (100-249 persons)	Not beside	Minimum 100m separation	Minimum 100m separation	Urban or Village Centre
Large (250+ persons)	Not beside	Minimum 100m separation	Minimum 250m separation	Only Urban Centre

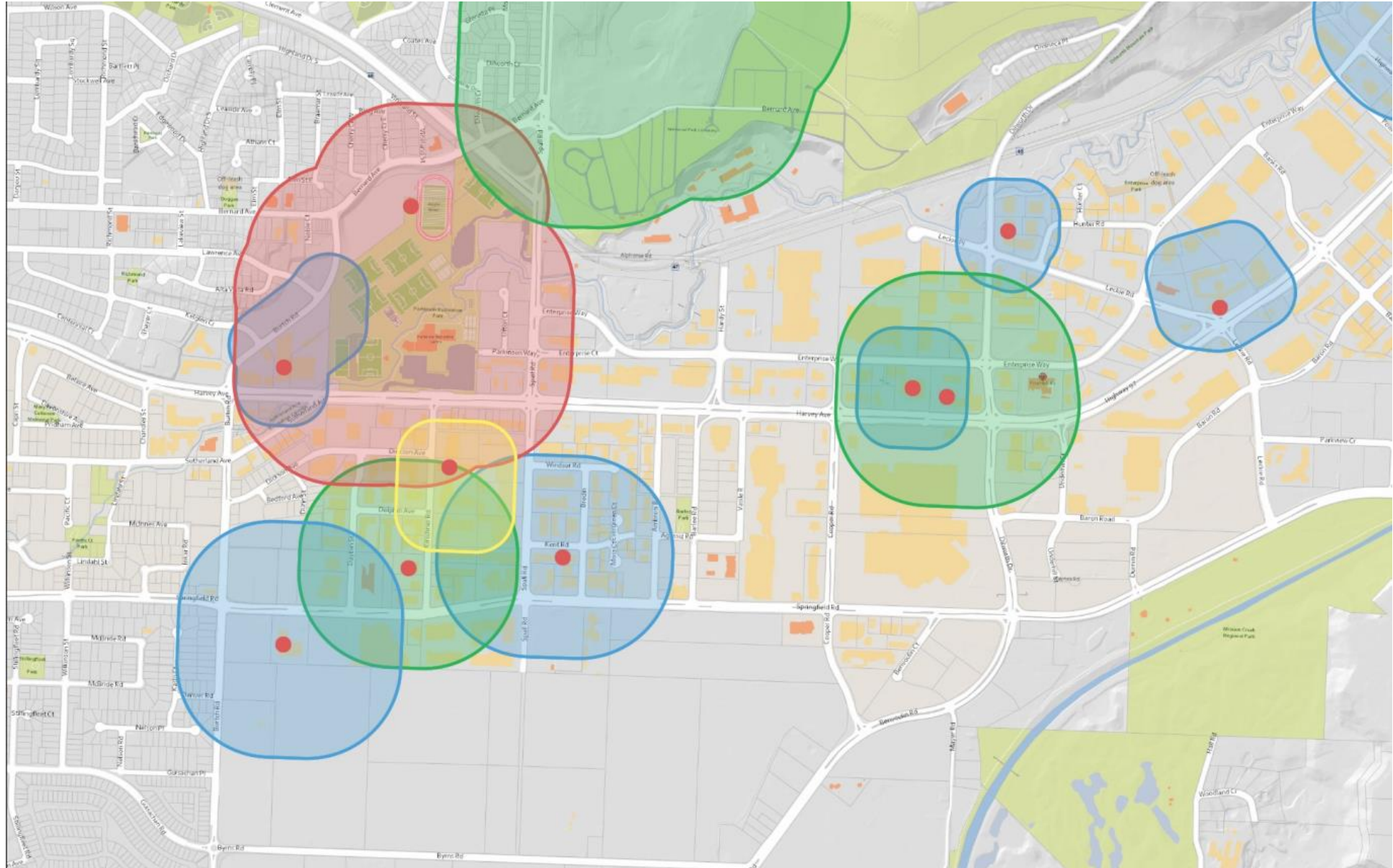
Existing Liquor Primary Licenses with Buffers



Existing Liquor Primary and Manufacturing Establishments with Buffers



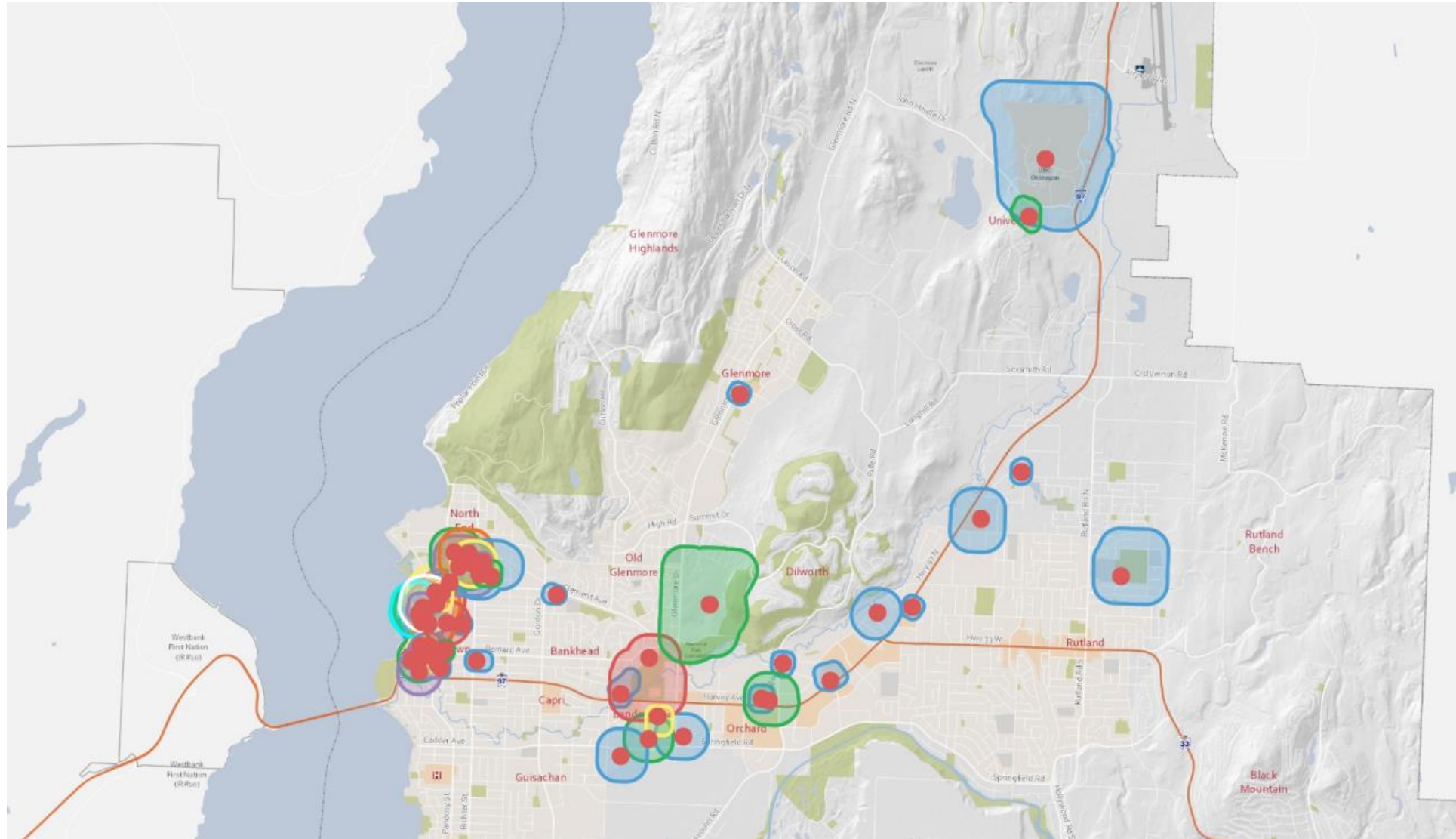
Overlap in Capri & Midtown



Challenges with Existing Policy

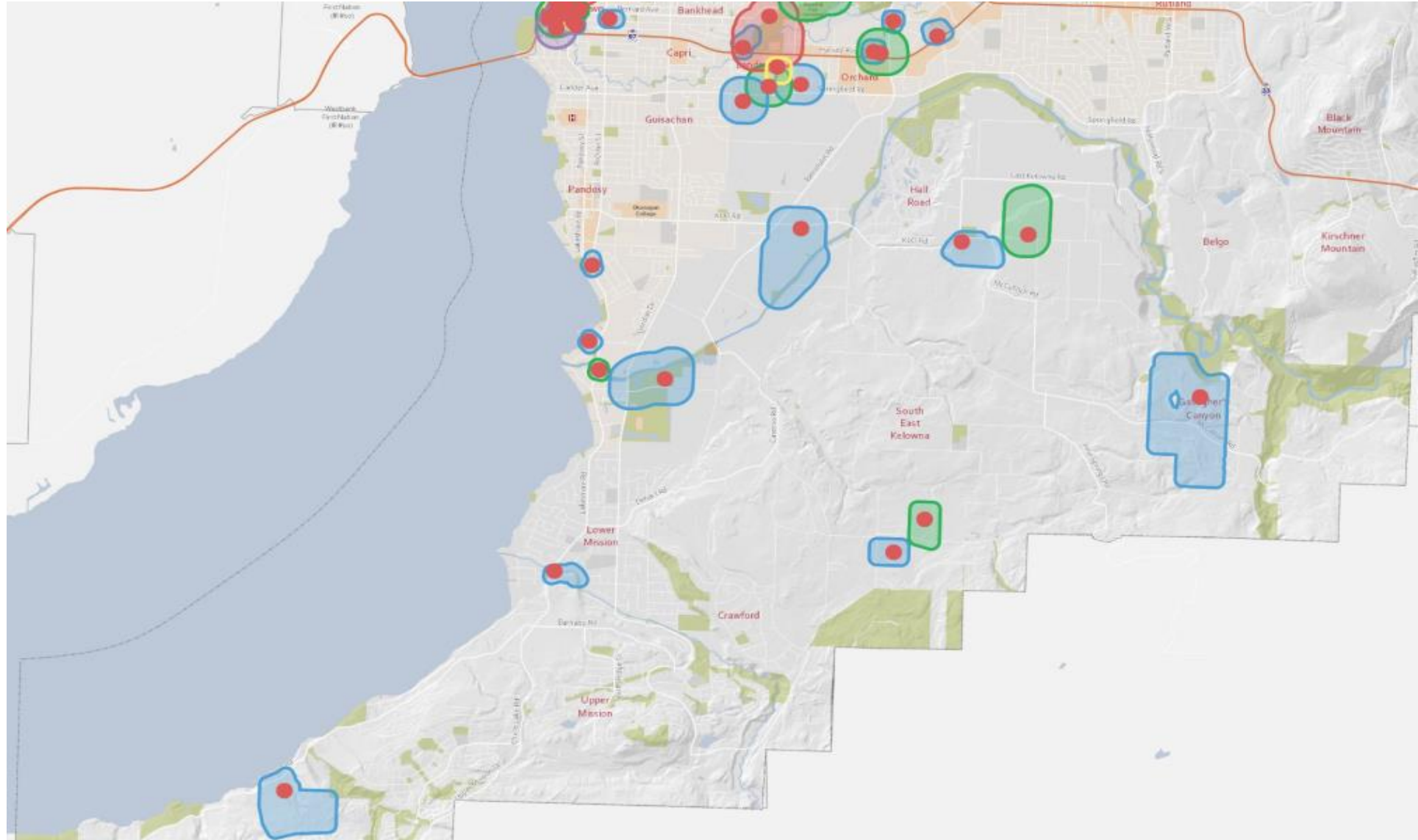
- ▶ Siting requirements for liquor establishments sterilize the area around them
 - ▶ Not conducive to creating vibrant urban centres (ex: Brewery District, Bernard Ave)
 - ▶ Downtown Urban Centre – No new liquor establishments feasible except around the east end of Leon/Lawrence
 - ▶ Capri Landmark Urban Centre – No new liquor establishments feasible around Landmark buildings
 - ▶ Pandosy Urban Centre, Rutland Urban Centre, and Midtown Urban Centre have room for liquor establishments, but current siting policy would likely only allow a few in each

Kelowna - North



City of Kelowna

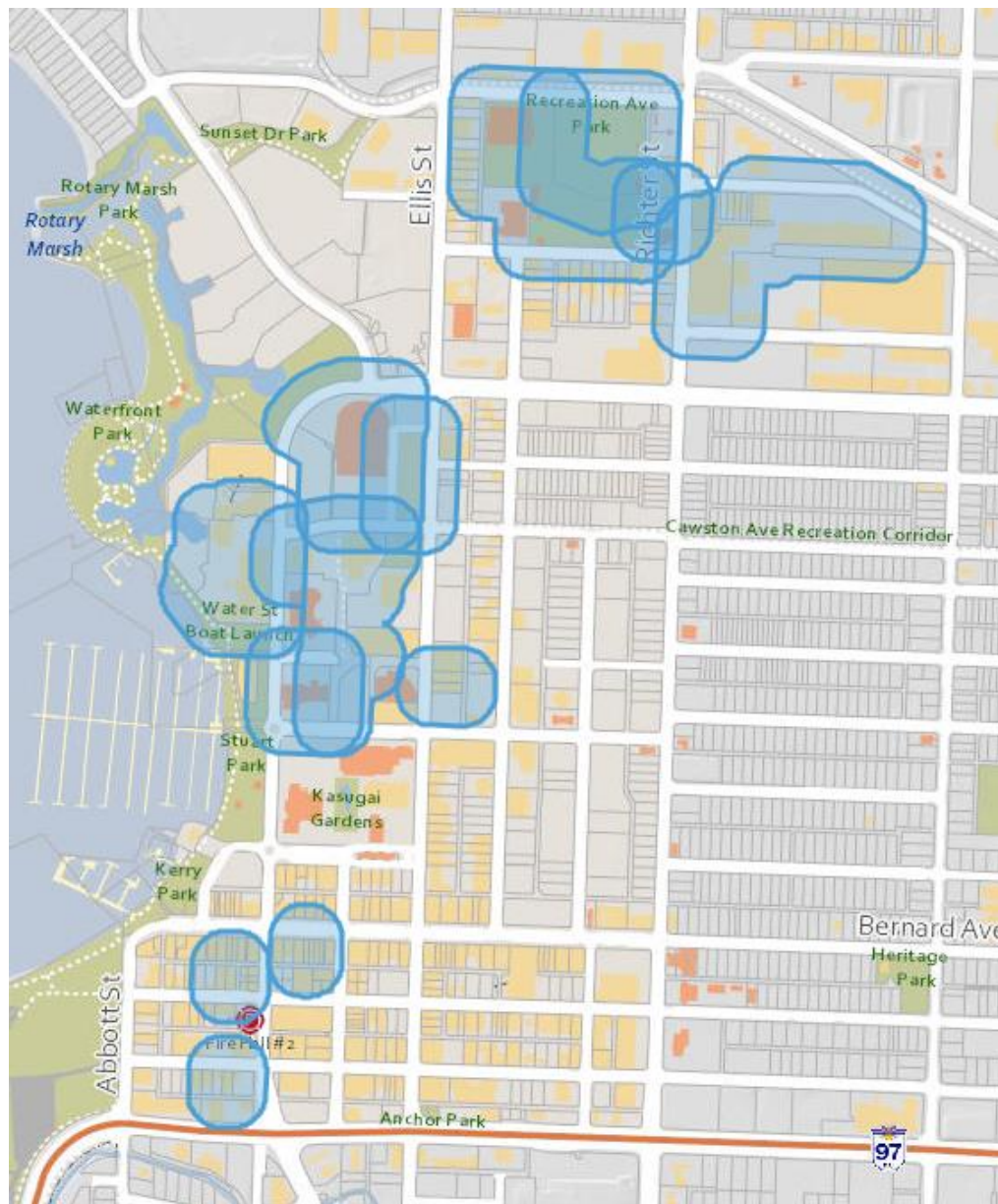
Kelowna - South



City of Kelowna

Challenges with Existing Policy

- ▶ Difficult to administrate
 - ▶ LCRB does not provide data on Liquor Licenses in easily accessible manner
 - ▶ Staff have to determine establishment proximity and capacities on an application-by-application basis
 - ▶ Supporting growth of small businesses - expansion of capacity of existing establishments that suddenly triggers buffer
 - ▶ Local Government does not get to review Food Primary Licenses unless they request to stay open past 12 AM or seek a Patron Participation Endorsement



Response to Council Feedback – Transit Service

- ▶ Night bus / Transportation
 - ▶ In response to request from UBC Student’s Union, Bus Route 97 was extended for later service and to/from downtown on weekends several years ago
 - ▶ No plans to extend service on any routes into the early morning hours at this time and have not been identified in Transit Service Guidelines

Table 4 - Service Span Standards

Service Type	Period	Existing	Medium-term	Long-term
Rapid Transit Network	Weekday	5:30am – 1:00am	5:00am – 1:00am	5:00am – 1:00am
	Saturday	7:00am – 2:30am	6:00am – 2:30am	5:00am – 2:30am
	Sunday	7:30am – 11:00pm	6:30am – 12:00am	5:00am – 1:00am
Frequent Transit Network	Weekday	6:00am – 11:00pm	5:00am – 1:00am	5:00am – 1:00am
	Saturday	7:30am – 1:00am	6:00am – 1:00am	5:00am – 1:00am
	Sunday	8:00am – 10:30pm	6:30am – 12:00am	5:00am – 1:00am
Local Transit Network (Ridership)	Weekday	Based on demand	7:00am – 9:00pm	6:00am – 12:00am
	Saturday	Based on demand	7:00am – 9:00pm	7:00am – 12:00am
	Sunday	Based on demand	8:00am – 8:00pm	8:00am – 8:00pm
Local Transit Network (Coverage)	Weekday	Based on demand	7:00am – 8:00pm	6:00am – 9:00pm
	Saturday	Based on demand	Based on demand	Based on demand
	Sunday	Based on demand	Based on demand	Based on demand

Changes proposed – Temporary Changes to Liquor Licence

- ▶ The current policy does not have a section dedicated to Temporary Changes to liquor licences.
- ▶ Proposed Policy will:
 - ▶ Restrict events to 3 days in length
 - ▶ Should be submitted 6 weeks prior to event
 - ▶ Support will be based on input from RCMP

Changes proposed – Other

- ▶ Properties located within the Agricultural Land Reserve (ALR) must adhere to ALC regulations.
- ▶ Patron Participation Endorsements must adhere to all other sections of the policy.
- ▶ Notification requirements are being updated to match the requirements of Council Policy 367.

Stakeholder Engagement

- ▶ RCMP
- ▶ Interior Health
- ▶ Tourism Kelowna
- ▶ Multiple Food Primary's, Manufacturing, and Liquor Primary Licence holders
- ▶ Internal Departments:
 - ▶ Community Safety
 - ▶ Business Licencing
 - ▶ Long Range Planning
 - ▶ Bylaw Services



Questions?

For more information, visit kelowna.ca.