

REPORT TO COUNCIL

LIQUOR LICENCE



Date: February 24, 2025
To: Council
From: City Manager
Address: 1346 Water St
File No.: LL24-0022

	Existing	Proposed
OCP Future Land Use:	PARK – Park and Open Space / UC- Urban Centre	PARK – Park and Open Space / UC - Urban Centre
Zone:	UC1 gg – Downtown Urban Centre Gaming and Gambling	UC1 gg – Downtown Urban Centre Gaming and Gambling

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 Diligent Liquor Management for a licence amendment for Lot 1 District Lots 139, 4041 and 4082 ODYD Plan KAP73542, located at 1346 Water Street, Kelowna, BC for the following reasons:
 - Council Policy 359 recommends supporting hours of operations no later than 2:00am within the Central Area when the capacity does not exceed 500 persons. The proposed hours, indoor and patio, as well as the increased capacity requests comply with this policy.
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 additional noise is minimal as the patio has been existing for several years in the present location on a temporary basis.
 - b) The impact on the community if the application is approved:
The potential for negative impacts is minimal as the area supports several similar patios in a tourist and pedestrian oriented area.
3. The views of residents are summarized in the Staff report for the subject application. 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 the liquor service area, increase the capacity, and extend the hours of operation.

3.0 Development Planning

Staff support the request to increase the service area, capacity, and operating hours of the existing Lounge Endorsement for the manufacturer known as Kelowna Beer Institute. The applicant is seeking to increase the overall capacity from 159 to 200. The proposed increase is consistent with Council Policy 359 for capacities located within the Central Area.

The applicant is seeking to extend the hours of operation with a 9:00 AM opening and 1:00 AM close inside, as well as a closing time of 11:00 PM on the patio. These proposed hours are consistent with operating hours within the Central Area.

The current establishment is located in an established commercial area surrounded by several similar patios. The proposed patio is located on city boulevard and has been operating under the provincial Temporary Expanded Service Area (TESA) program since the COVID-19 pandemic. Kelowna Beer Institute has been working in partnership with the City of Kelowna under a lease agreement to utilize this space. With the province’s recent announcement to end the TESA program the applicant is seeking to operate the patio on a permanent basis between the months of April to September.

4.0 Project Details

Existing Hours:

		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	6:00 PM	8:00 PM	8:00 PM	8:00 PM	9:00 PM	9:00 PM	9:00 PM
	Patio	6:00 PM	8:00 PM	8:00 PM	8:00 PM	9:00 PM	9:00 PM	9:00 PM

Proposed Hours:

		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	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
Indoor	78	78
Outdoor	81	122

5.0 Site Context & Background

Orientation	Zoning	Land Use
North	UC1 gg – Downtown Urban Centre Gaming and Gambling	Hotel / Motel
East	UC1 – Downtown Urban Centre	Courthouse
South	P3 – Parks and Open Space	Parking / Boat Launch
West	P3 – Parks and Open Space	Boardwalk

Subject Property Map: 1346 Water St



The subject property is located on Water Street, located south of the Delta Grand Hotel and adjacent to the boat launch and the courthouse. There is public transit in close proximity via the Queensway Bus Exchange and bus stops on Water Street.

6.o Public Input Received

Neighbour notification was conducted in accordance with Council Policy 359 Liquor Licensing Policy & Procedures:

- Notices were delivered to properties within a 50 m radius of the subject property on February 6, 2025; and
- Signage was erected on the subject property on January 15, 2025.

Notification provided an opportunity for affected residents to comment on the proposal. No members of the public provided comment.

Current Development Policies

6.1 Council Policy #359 – Liquor Licensing Policy and Procedures

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

- Liquor service for a licenced establishment within the Central Area may be permitted between the hours of 9:00 AM and 2:00 AM.
- Within the Central Area, an outdoor patio at a licenced establishment may not operate later than 11:00 PM.
- A licenced establishment within the Central Area that closes later than midnight, must limit capacity to 500 persons.

7.0 Application Chronology

Application Accepted: December 3, 2024

Report prepared by: Jason Issler, Planner II
Reviewed by: Adam Cseke, Central Development 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: Letter of Rationale

Attachment B: Floor Plan/Site Plan/Occupant Load

Attachment C: Summary of Neighbourhood Notification

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