

REPORT TO COUNCIL



Date: March 7, 2017

RIM No. 0930-50

To: City Manager

From: Community Planning Department (LK)

Application: LL16-0020

Owner: Northland Properties
Corporation, Inc. No. Co839976

Address: 2130 Harvey Avenue

Applicant: Northland Properties Corp.

Subject: Liquor License

Existing OCP Designation: COMM - Commercial

Existing Zone: C4LP – Urban Centre Commercial

1.0 Recommendation

THAT Council directs Staff to forward the following recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 53 of the *Liquor Control and Licensing Regulation* and Council Policy #359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Northland Properties Corporation Inc. No. Co839976 located at 2130 Harvey Avenue, Kelowna, BC, legally described as Lot A District Lot 127 ODYD Plan 23746 except Plan KAP92440, for a permanent change to a liquor primary licensed hours of sales for License Number o65335 (Bar One) from '11:00 AM to Midnight Sunday to 10:00 AM to Midnight Sunday'.
2. That Council's comments on the prescribed considerations are as follows:
 - (a) The potential for noise if the application is approved;
The potential impact for noise is minimal and would be compatible with surrounding land uses.
 - (b) The impact on the community if the application is approved;
The potential for negative impacts is considered to be minimal.
 - (c) It is unlikely that the change in hours may result in the establishment being operated contrary to its primary purpose.

THAT Council's comments on the view 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 to allow a permanent change in hours of operation to open earlier than currently allowed for a Liquor Primary license at the subject property.

3.0 Community Planning

Community Planning staff supports the early opening request for Sunday's from 11:00 am to 10:00 am. The request to open earlier in the day represents a minor change to the establishment and one that staff have seen with many establishments across the city. Opening earlier in the day does not create the same enforcement and policing issues that occur with later closings. This will have a negligible impact to the surrounding area.

4.0 Proposal

4.1 Background

An application has been forwarded by the licensee to the Provincial Liquor Control and Licensing Branch (LCLB) for their approval. Procedurally, all of these applicants need Local Government comments prior to the LCLB making a final decision:

- Permanent changes to the hours of operation for a liquor primary licensed establishments.

4.2 Project Description

Existing Hours of Sale for Bar One (Liquor Primary License # 065335):

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM
Close	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	Midnight

Proposed Hours of Sale for Bar One (Liquor Primary License # 065335):

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	10:00 AM
Close	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	Midnight

4.3 Site Context

The subject property fronts onto Harvey Avenue and backs onto Enterprise Way. It is located midblock between Cooper Road and Dilworth Drive. Bar one is located within the Sandman Hotel.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I3 – Heavy Industrial, I2 – General Industrial	Warehouse Sales, General Industrial uses
East	C9lp/r1s – Tourist Commercial (Liquor Primary/Retail Liquor Sales)	Hotel, Food Primary, Liquor Primary Establishment
South	C6 – Regional Commercial	Shopping Centre
West	C4 – Urban Centre Commercial	Food Primary Establishment

Subject Property Map: 2130 Harvey Avenue



5.0 Current Development Policies

5.1 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 the 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).

5.2 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Entertainment Venues.¹ Within designated Urban Centres, encourage private-sector provision of facilities which diversify the selection of venues and entertainment opportunities throughout the city.

¹ Policy 5.17.1 (Development Process Chapter 5, page 5.21)

6.o Application Chronology

Date of Application Received: October 25, 2016

Report Prepared by: Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

LCLB Application