

# REPORT TO COUNCIL



**Date:** August 15, 2017

**RIM No.** 0930-50

**To:** City Manager

**From:** Community Planning Department (TB)

**Application:** LL17-0012

**Owner:** Abbott Street Holdings Ltd Inc  
No 174695

**Address:** 1959 KLO Road

**Applicant:** R & S Enterprise Ltd.

**Subject:** Liquor License

Existing OCP Designation: REC – Private Recreation

Existing Zone: P3LP – Parks & Open Space (Liquor Primary)

---

## 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 10 of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support for the application from R&S Enterprise Ltd (dba Fore Restaurant and Lounge, Mission Creek Golf Club) at 1959 KLO Road, legally described as Lot A, District Lot 131, and of Section 8, Township 26, ODYD, Plan 35770, for a new liquor primary license with hours of sale from 10:00 am to 10:00 pm Sunday to Wednesday and 10:00 am to 12:00 am (midnight) Thursday to Saturday, to serve the golf playing public.
2. The Council's comments on the prescribed considerations are as follows:
  - (a) The potential for noise if the application is approved;  
The potential for noise may increase with the Liquor Primary License. However, noise has not been an issue at this location in the past.
  - (b) The impact on the community if the application is approved:  
There will be minimal impact on the community as this location has been licensed in the past.
  - (c) It is unlikely that the approval of this license may result in the establishment being operated contrary to its primary purpose.

3. The 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 consider a Staff recommendation to support a new Liquor Primary License for Mission Creek Golf Club.

## **3.0 Community Planning**

Community Planning supports the application for a new Liquor Primary License for Mission Creek Golf Club. The license would allow liquor service in the clubhouse, banquet area, and on the playing area of the golf course, similar to other golf course establishments in Kelowna. The proposed hours of service are supported by the RCMP, and the license is anticipated to have minimal impact on the community. This establishment had a Liquor Primary License in the past which lapsed, and the establishment is now under new ownership.

## **4.0 Proposal**

### **4.1 Background**

Mission Creek Golf Club has had an active business license with the City of Kelowna since 1980. The Golf Club features a clubhouse, banquet area, and a new restaurant called Fore Restaurant and Lounge. For many of these years of operation the golf course had a Liquor Primary License which allowed them to provide liquor service on the playing area of the golf course. This license lapsed in 2015, and a new application has now come forward under new ownership.

### **4.2 Project Description**

The applicant has applied for a Liquor Primary License which would allow Mission Creek Golf Club to provide liquor service to the public in the restaurant, lounge, banquet room, and playing area of the golf course. The establishment has applied for hours of 10:00 am to 10:00 pm, Sunday to Wednesday, and 10:00 am to 12:00 am (midnight), Thursday to Saturday. The applicant has stated that entertainment consists of light to moderate music, and the banquet room will be used for events such as weddings, retirement parties, and golf tournaments. The potential for noise may increase if this license is approved, however, noise has not been an issue in the past. It is not anticipated that this license will increase traffic or parking requirements for the course, however, it will add another service to the public that currently plays on the course.

This business model is similar to other golf course establishments in Kelowna, the hours of operation are supported by the RCMP, and the license is anticipated to have minimal impact on the community. This is the same type of license that the golf club had previously, which lapsed in 2015 while an ownership change was taking place.

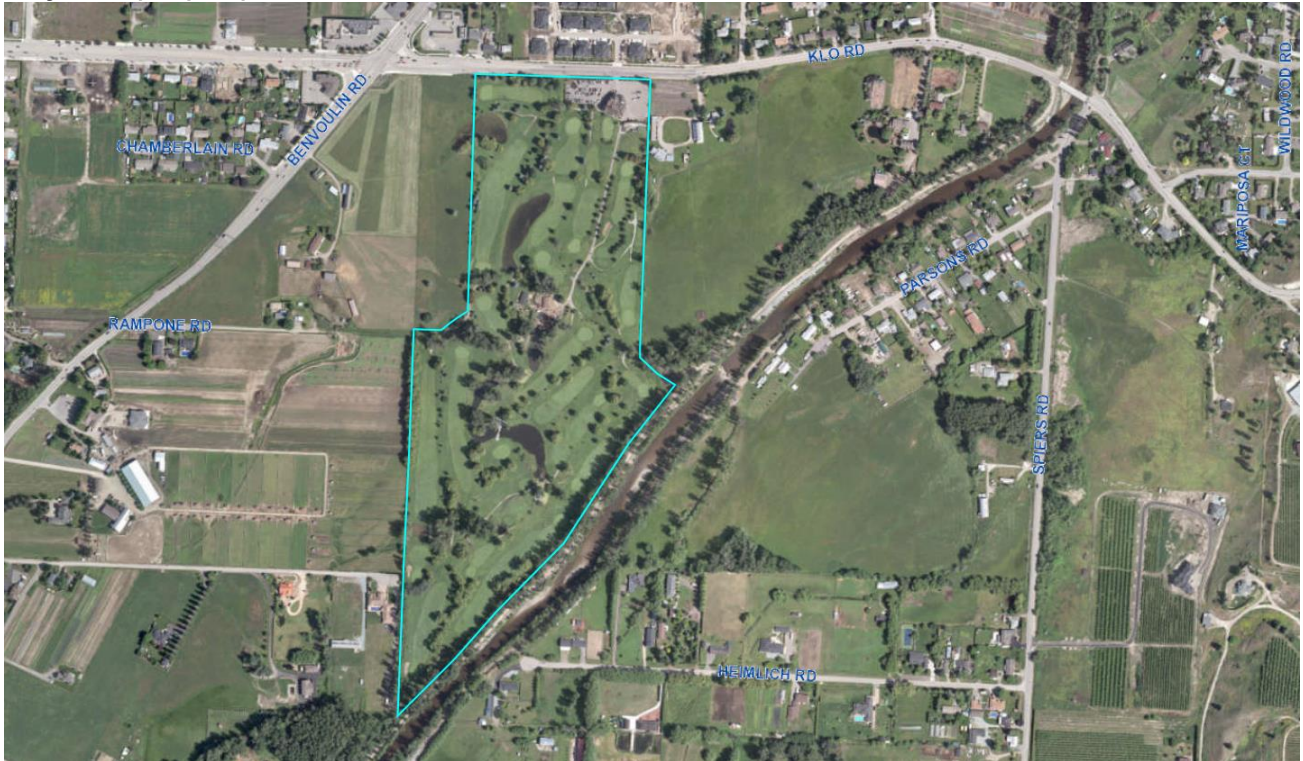
#### 4.3 Site Context

The Mission Creek Golf Club is located off of KLO Rd, east of Benvoulin Rd. There are no other large Liquor Primary establishments within 250m, and it is not adjacent to any medium or small establishments.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU5 – Bareland Strata Housing	Multiple Unit Residential
East	A1 - Agriculture	Agriculture
South	A1 - Agriculture	Rural Residential
West	A1 - Agriculture	Rural Residential / Agriculture

#### **Subject Property Map: 1959 KLO Road**



#### 5.0 **Current Development Policies**

##### 5.1 Council Policy #359 – Liquor License Policy and Procedures

- Please see Attachments

## 6.0 Technical Comments

### 6.1 Bylaw Services

- Currently there are no open/outstanding Bylaw Enforcement files pertaining to property location: 1959 KLO Rd.

### 6.2 Fire Department

- The Kelowna Fire Department has no issues with this license approval.

### 6.3 RCMP

- Please note, the RCMP is not supportive of the applicant's initial request for hours of liquor service (Sunday-Saturday 10am to 12am). The RCMP would support the following for hours of liquor services:  
*Sunday - Wednesday 10am to 10pm*  
*Thursday - Saturday 10am to midnight*
- The applicant could still apply for a special occasions licence in the event they wanted a late closure Sunday - Wednesday.

## 7.0 Application Chronology

Date of Application Received: May 2, 2017  
Date Public Consultation Completed: Not Required

**Report prepared by:** Trisa Brandt, Planner

**Reviewed by:** Terry Barton, Urban Planning Manager

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

### **Attachments:**

Attachment "A": Council Policy #359 - Liquor License Policy and Procedures  
Attachment "B": Application Summary dated April 27, 2017  
Attachment "C": Applicant's Letter of Intent  
Attachment "D": Floor Plans and Site Plan  
Attachment "E": Liquor License Occupant Load