
CITY OF KELOWNA

MEMORANDUM

Date: April 18, 2001

File No.: LL01-001

To: City Manager

From: Planning and Development Services Department

Subject:

APPLICATION NO. LL01-001

OWNER: ROSS FITZPATRICK

AT: 5445 LAKESHORE ROAD

APPLICANT: CEDAR CREEK ESTATE
WINERY / GORDON
FITZPATRICK

PURPOSE: TO OBTAIN COUNCIL ENDORSEMENT TO EXTEND THE
CURRENT WINERY LICENSE TO ALLOW FOR A WINERY
LOUNGE

REPORT PREPARED BY: KIRSTEN G. BEHLER

1.0 RECOMMENDATION

THAT Council support the following amendments to the current operating restrictions as requested by the Cedar Creek Estate Winery:

- To extend the current winery license to allow for a winery lounge for the premises at 5445 Lakeshore Road;
- To permit a maximum seating capacity of 60 patrons in the winery lounge, located on the future patio;
- To allow the hours of use for the winery lounge to be the same as those of the winery agency store: 10:00 a.m. to 6:00 p.m., 7 days a week, with the option of occasionally staying open until sunset;

AND THAT Council direct staff to forward the appropriate resolution to the Liquor Control and Licensing Board in Victoria.

2.0 SUMMARY

The applicant seeks Council endorsement for a winery lounge on an outside patio, in order to be able to serve wine by the glass. The proposed maximum seating capacity is 60 patrons, and the hours of operation on the patio will be the same as those of the store, with some additional hours for special occasions.

3.0 BACKGROUND

3.1 The Proposal

The Cedar Creek Winery is located in the Southwest Mission. The 38 ha property contains the vineyard, a small rose arbour, and treed open space. The primary wine facilities, including the production, storage, tasting and sale areas, are located at the north end of the site, just south of Lakeshore Road. In addition, three residences are located on the site, one of which will be converted to office space for the winery.

At present, the winery has a regular winery license, which allows wine tasting and sale on the premises. The applicant wishes to construct an outside patio for up to 60 patrons, on which he could sell wine by the glass. The patio would be considered a winery lounge and requires Council's endorsement prior to the applicant seeking approval from the provincial liquor licensing board.

Currently, the winery attracts approximately 25,000 visitors annually for wine tasting and tours, with the majority of patrons visiting the facilities in the summer months from May to September. The applicant expects a modest increase in visitors. To deal with the current and expected volumes of visitors, the applicant will construct a new parking lot for 44 stalls. This parking is in addition to the existing 11 stall staff parking lot and the future 10 stall parking area for the proposed office space. The existing on-site access road will be widened to two lanes

The proposed changes to the parking lot provide sufficient parking for 60 seats on the outdoor patio, and the proposal therefore meets the relevant requirements of the City of Kelowna Zoning By-Law No. 8000. The parking calculations are as follows:

Area	Required stalls
Licensed consumption area with 60 seats	1 per 4 seats = 15
Existing and future storage	0.5 per 100m ² GFA = 5
Existing and future wine making facilities	2 per 100m ² GFA = 19
Proposed offices	2.5 per 100m ² GFA = 10
Wine tasting and retail area	2.2 per 100m ² GFA = 4
Total	53

The site plans provided by the applicant shows 65 parking stalls, with an additional area reserved for potential overflow parking on the north end of the lot, close to Lakeshore Avenue

The summer hours of the wine agency store are 10:00 a.m. to 6:00 p.m., 7 days a week. The applicant wishes to use the patio for the same hours, with some flexibility to allow the patio to be used until sunset on special occasions.

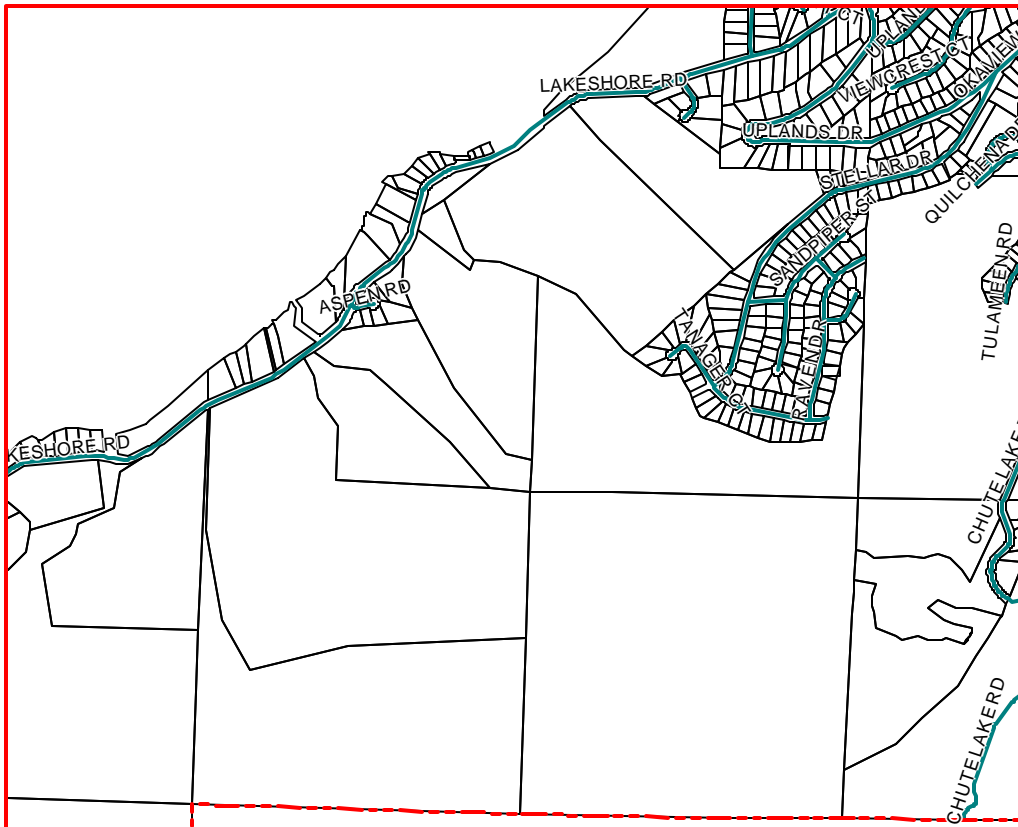
3.2 Site Context

The subject property is located in the Southwest Mission. The irregularly shaped lot abuts Lakeshore Road to the north. The property is zoned A1 – Agriculture 1, and the existing vineyard and winery are permitted uses in this zone. Adjacent properties to the east and west are used agriculturally, and rural residential housing can be found to the north along Lake Okanagan.

Adjacent zones and uses are, to the:

- North - RR1 – Rural Residential 1 – single detached
- East - A1 – Agriculture 1 – agricultural use and wooded area
- South - A1 – Agriculture 1 – wooded area
- West - A1 – Agriculture 1 – agricultural use

3.3 Site Location Map



3.4 Current Development Policy

3.4.1 Kelowna Official Community Plan

The property is designated as Rural / Agricultural in the Official Community Plan, and the proposal is consistent with this designation.

In addition, the Official Community Plan encourages specialization and value added products. The addition of a licensed consumption area, where wine can be sold by the glass, is consistent with this policy.

3.4.2 City of Kelowna Agriculture Plan (1998)

The Agriculture Plan does not make reference to the consumption of wine on the premises of wineries. However, the proposed winery

lounge is generally consistent with promoting direct farm marketing and agri-tourism.

4.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments, and the following comments have been submitted:

4.1. Inspection Services Department

The Inspection Services Department has no concerns regarding the proposed licensed consumption area.

4.2. RCMP

The RCMP has no comments on the proposed licensed consumption area.

4.3. Fire Department

This department has no objection to this liquor license application as long as the building meets the requirements of the B.C. Building Code.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns regarding the proposed winery lounge. The applicant demonstrated that sufficient parking spaces for the proposed patio and existing and future production, storage, retail and office areas would be provided on the site.

Andrew Bruce
Current Planning Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Development Services

KGB
Attach.

FACT SHEET

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| 1. APPLICATION NO.: | LL01-001 |
| 2. APPLICATION TYPE: | Liquor License Application |
| 3. OWNER:
- ADDRESS
- CITY
- POSTAL CODE | Ross Fitzpatrick
5476 Lakeshore Road
Kelowna, BC
V1W 4S5 |
| 4. APPLICANT/CONTACT PERSON:
- ADDRESS
- CITY
- POSTAL CODE
- TELEPHONE/FAX NO.: | Gordon Fitzpatrick
5445 Lakeshore Road
Kelowna, BC
V1W 4S5
764-8866 |
| 5. APPLICATION PROGRESS:
Date of Application:
Date Application Complete:
Staff Report to Council: | March 16, 2001
March 16, 2001
April 18, 2001 |
| 6. LEGAL DESCRIPTION: | Lot A, Plan 31860, Sec. 14, 15, 22,
23, Twp. 28, ODYD |
| 7. SITE LOCATION: | Southwest Mission, south of
Lakeshore Road |
| 8. CIVIC ADDRESS: | 5445 Lakeshore Road
Kelowna, BC
V1W 4S5 |
| 9. AREA OF SUBJECT PROPERTY: | 25 ha |
| 10. EXISTING ZONE CATEGORY: | A1 – Agriculture 1 |
| 11. PURPOSE OF THE APPLICATION: | To receive Council endorsement for
the addition of a “licensed
consumption area” |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.:
NOTE: IF LANDS ARE WITHIN 800 m OF A
CONTROLLED ACCESS HIGHWAY | N/A |
| 15. DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | N/A |

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan
- Floor plans
- Elevations