
CITY OF KELOWNA

MEMORANDUM

Date: September 16, 2003
File No.: LL03-0015

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. LL03-0015

OWNER: 641300 BC Ltd

AT: 2040 Joe Riche Road

APPLICANT: Black Mountain Pub Ltd.

PURPOSE: THE APPLICANT IS SEEKING COUNCIL ENSORSEMENT
FOR A LIQUOR PRIMARY LICENSED ESTABLISHMENT

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Council support a Liquor Primary License on Part of Lot 5 shown on Plan B4079, Section 18, Township 27, ODYD Plan 1991; proposed by Black Mountain Pub Ltd. for 2040 Joe Riche Road;

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

2.0 SUMMARY

The applicant is seeking council endorsement for a proposed liquor primary license for the former Black Mountain Pub at 2040 Joe Riche Road.

3.0 BACKGROUND

3.1 The Proposal

In December of 2002 the Provincial Government's Liquor Control and Licensing Branch made significant changes to Liquor Licensing regulations in British Columbia. One of the results being that local government now has input new liquor primary licenses.

The applicant has applied to the City of Kelowna and the Liquor Control and Licensing Branch for a liquor primary license at 2040 Joe Riche Road (the site which was formerly occupied by the Black Mountain Pub). The applicants would like to resurrect the old Black Mountain Pub name and operate a pub and restaurant on the site. The facility was previously licensed as a pub under the Liquor Control and Licensing Branch's old regulations. The applicants are also the owners/operators of the Zodiac Pub and Cold Beer and Wine Store on Rutland Road.

The applicants are planning to target the Black Mountain area market as well as the larger Kelowna market and tourists that travel through this area.

The applicants feel that reviving the Black Mountain Pub will help support the growing population in the Black Mountain area and provide a service that the area is currently lacking.

The proposed capacity for the pub is 100 persons. The applicant had originally applied for a greater capacity, however, has since revised this to fit into the parameters of the C2 – Neighbourhood Commercial zone. The applicants are seeking support for the following hours of operation in conjunction with this application: Monday through Sunday from 9am to 2am.

The proposed pub is approximately 6 Kilometres from the nearest liquor primary establishment (Zodiac Pub) and is 0.3 Kilometres from Black Mountain Elementary School.

3.2 Site Context

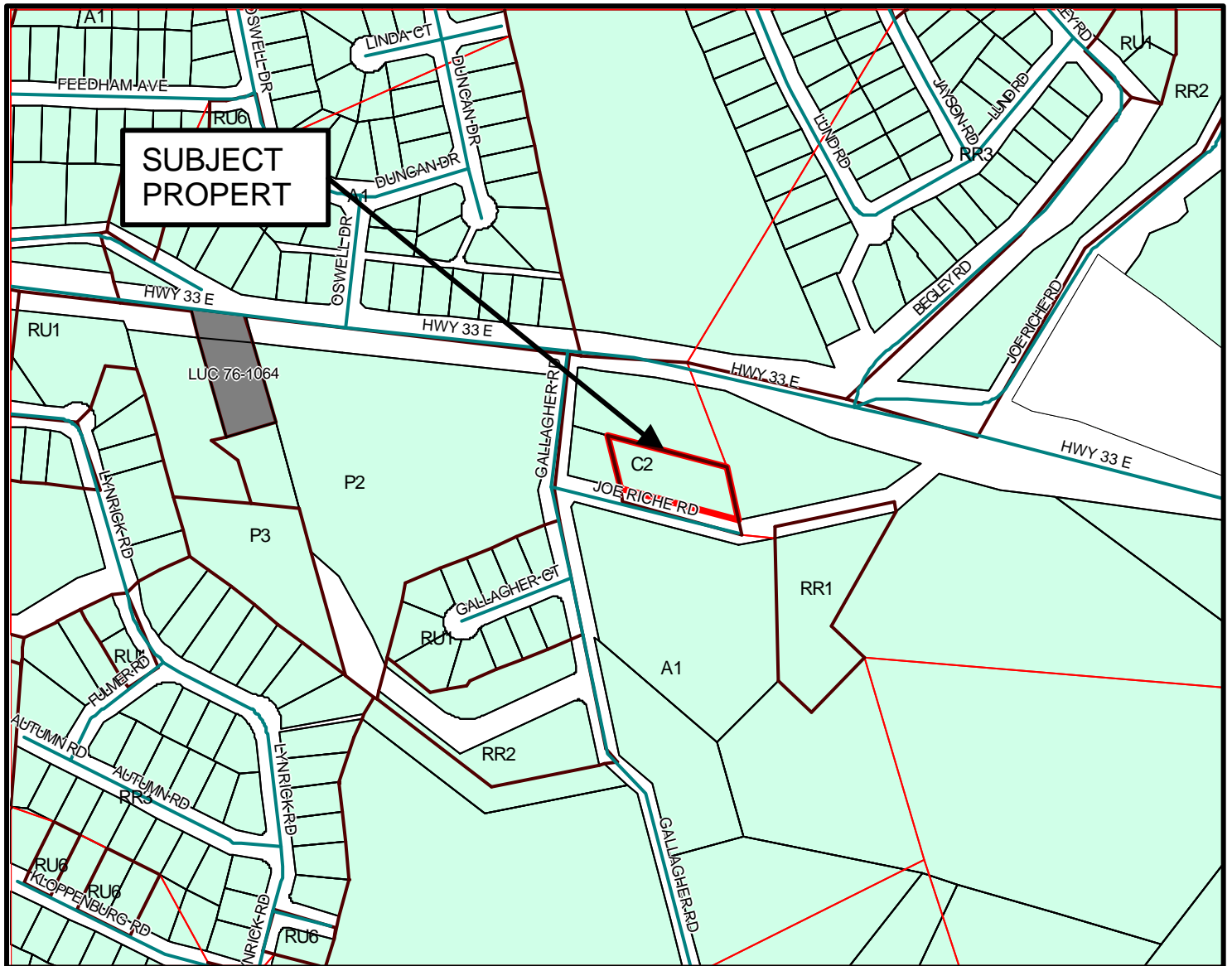
The subject property is located on Joe Riche Road, southeast of the intersection of Gallagher Road and Highway 33.

Adjacent zones and uses are:

- North - C2 – Neighbourhood Commercial
- East - C2 – Neighbourhood Commercial
- South - A1 – Agriculture 1
- West - A1 – Agriculture 1

3.3 Site Location Map

Subject Property: 2040 Joe Riche Road



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

No concerns.

4.2. RCMP

No comment.

4.3. Fire Department

This structure has been vacant for a considerable time and appears to require substantial repairs.

4.4 Public Health Inspector

Kitchen facility NOT approved for food service at this time.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department has no concerns provided the applicant retains a licensed capacity of no greater than 100 to conform with the requirements of the C2 – Neighbourhood Commercial Zone. The application is also generally consistent with policy adopted by the Mayor's Entertainment District Task Force. The proposed liquor primary establishment will have a capacity of less than 100 and will be located in excess of 100m from the nearest liquor primary licensed establishment.

Andrew Bruce
Development Services Manager

Approved for inclusion

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

RM/AB/rs
Attach.

FACT SHEET

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| 1. APPLICATION NO.: | LL03-0015 |
| 2. APPLICATION TYPE: | Liquor License |
| 3. OWNER:
ADDRESS
. CITY
. POSTAL CODE | 641300 BC Ltd
2-9640 201st
Langley, BC
V1M3E8 |
| 4. APPLICANT/CONTACT PERSON:

. ADDRESS
. CITY
. POSTAL CODE
. TELEPHONE/FAX NO.: | Steve Berezan/ Black Mountain Pub
Ltd.
17212 20 th Avenue
Surrey, BC

604-541-8070 |
| 5. APPLICATION PROGRESS:
Date of Application:
Date Application Complete:
Staff Report to Council: |
August 12, 2003
August 12, 2003 |
| 6. LEGAL DESCRIPTION: | Part of Lot 5 shown on Plan B4079,
Section 18, Township 27, ODYD Plan
1991 |
| 7. SITE LOCATION: | The subject property is located on Joe
Riche Road, southeast of the
intersection of Gallagher Road and
Highway 33. |
| 8. CIVIC ADDRESS: | 2040 Joe Riche Road |
| 9. AREA OF SUBJECT PROPERTY: | N/A |
| 10. EXISTING ZONE CATEGORY: | C2 – Neighbourhood Commercial |
| 11. PURPOSE OF THE APPLICATION: | Seeking Council endorsement for
Liquor Primary License. |
| 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
- Floor Plan