
CITY OF KELOWNA

MEMORANDUM

Date: September 8, 2003
File No.: LL03-0016

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. LL03-0016 **OWNER:** Evergreen Lands Limited, 594919 BC Ltd., Peacock Insurance & Financial Group Inc., Viewcrest Estates Ltd., Brainwave Management Inc.

AT: 1180 Sunset Drive **APPLICANT:** 640341 BC Ltd. (Brent Peacock)

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 Lot B, Plan KAP49982, DL. 139, ODYD, except Strata Plan KAS1261; proposed by Brent Peacock for 1180 Sunset Drive;

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 a wine and tapas bar.

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 1180 Sunset Drive. The proposed liquor primary establishment would be located in one of three ground floor units of a three storey mixed use development that is currently under construction.

This liquor primary license is also associated with a licensee retail store which will occupy the adjacent unit. The Equinox Financial Group will occupy the third unit on the ground floor. The proposed liquor primary establishment which will take the form of an upscale wine and tapas bar will have an interior connection to the licensee retail store. The wine and tapas bar has preliminary approval for an interior capacity of 98 persons inside and 20 persons on a patio, however, to meet the zoning requirement the applicant has indicated that the interior seating capacity shall not exceed 80 and patio seating capacity shall not exceed 20. The applicant has indicated that the primary focus of the Licensee Retail Store will be speciality wines and gifts. The Liquor Control and Licensing Branch has given preliminary approval to the following hours of operation: 11:00am to 12:00 midnight Sunday to Thursday and 11:00 am to 1:00 am Friday and Saturday.

3.2 Site Context

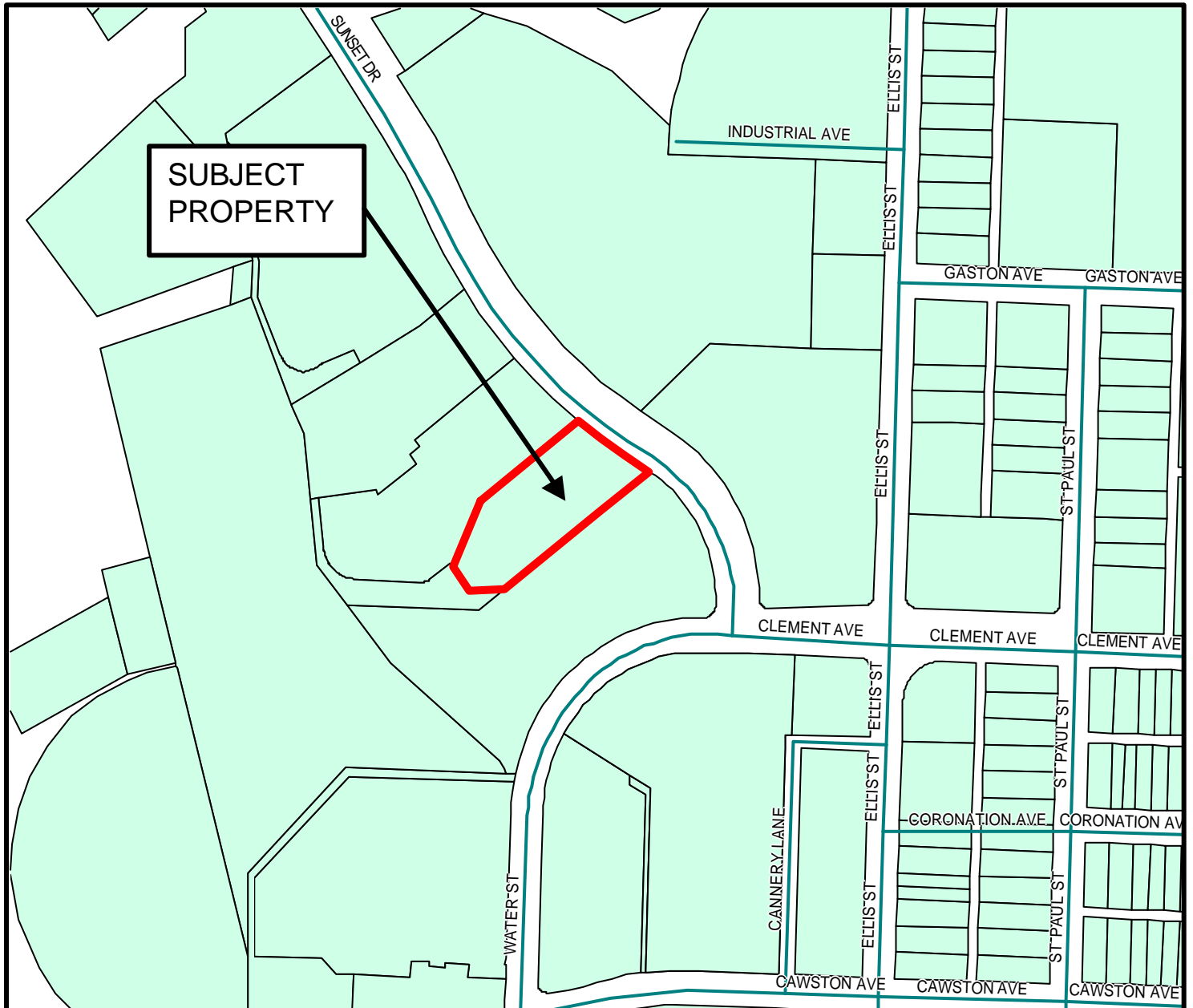
The subject property is located on Sunset Drive northwest of its intersection with Clement Avenue.

Adjacent zones and uses are:

- North - RM6 – High Rise Apartment Housing
- East - C4 – Town Centre Commercial
- South - RM6 – High Rise Apartment Housing
- West - RM6 – High Rise Apartment Housing

3.3 Site Location Map

Subject Property: 1180 Sunset Drive



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 concerns.

4.3. Fire Department

No Concerns.

4.4 Public Health Inspector

No Comment.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department has no concerns with the proposed Liquor License application. The appropriate zoning already exists on this site and staff feels that the proposed use will complement development that is occurring in this area.

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. The proposed location is also within an urban town centre area and is therefore consistent with the Official Community Plan.

Andrew Bruce
Development Services Manager

Approved for inclusion ☐

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

RM/AB/rs
Attach.

FACT SHEET

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| 1. | APPLICATION NO.: | LL03-0014 |
| 2. | APPLICATION TYPE: | Liquor License |
| 3. | OWNER: | Evergreen Lands Limited |
| | ADDRESS | 205-251 Lawrence Ave |
| | · CITY | Kelowna, BC |
| | · POSTAL CODE | V1Y 6L2 |
| 3a. | OWNER: | 594919 BC Ltd |
| | ADDRESS | 3870 Suncrest Court |
| | · CITY | Kelowna, BC |
| | · POSTAL CODE | V1W4E8 |
| 3b. | OWNER: | Peacock Insurance & Financial Group |
| | ADDRESS | 3885 Kimatouche Rd |
| | · CITY | Kelowna, BC |
| | · POSTAL CODE | V1Y7R2 |
| 3c. | OWNER: | Viewcrest Estates Ltd |
| | ADDRESS | c/o 205-1690 Water St |
| | · CITY | Kelowna BC |
| | · POSTAL CODE | V1Y8T8 |
| 3d. | OWNER: | Brainwave Management Inc. |
| | ADDRESS | c/o 205-1690 Water St |
| | · CITY | Kelowna, BC |
| | · POSTAL CODE | V1Y 8T8 |
| 4. | APPLICANT/CONTACT PERSON: | 640341 BC Ltd. (Brent Peacock) |
| | · ADDRESS | 1180 Sunset Drive |
| | · CITY | Kelowna, BC |
| | · POSTAL CODE | V1Y 9W6 |
| | · TELEPHONE/FAX NO.: | 763-3550 |
| 5. | APPLICATION PROGRESS: | |
| | Date of Application: | August 12, 2003 |
| | Date Application Complete: | August 12, 2003 |
| | Staff Report to Council: | |
| 6. | LEGAL DESCRIPTION: | Lot B, Plan KAP 49982, DL 139,
ODYD, except Strata Plan KAS1261 |
| 7. | SITE LOCATION: | The subject property is located on
Sunset Drive northwest of its
intersection with Clement Avenue. |
| 8. | CIVIC ADDRESS: | 1180 Sunset Drive |
| 9. | AREA OF SUBJECT PROPERTY: | N/A |

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| 10. EXISTING ZONE CATEGORY: | C7 |
| 11. PURPOSE OF THE APPLICATION: | Liquor Primary License Application |
| 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