
CITY OF KELOWNA

MEMORANDUM

Date: December 2, 2003
File No.: LL03-0021

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. LL03-0021

OWNER: C.2K Holdings Ltd.,
Inc.No.585452

AT: 1585 Abbott Street

APPLICANT: Ric's Grill Kelowna Ltd.

PURPOSE: TO OBTAIN COUNCIL SUPPORT FOR A CHANGE TO THE PERMITTED HOURS OF OPERATION PERMITTED FOR THE FOOD PRIMARY LICENSE FROM 11 A.M. TO 12 A.M. 7 DAYS PER WEEK TO 11 A.M. TO 1 A.M. 7 DAYS PER WEEK

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Council support a change to the permitted hours of operation from 11 a.m. to 12 a.m. 7 days per week to 11 a.m. to 1 a.m. 7 days per week, on Strata Lot 1, DL.139, Strata Plan K577, ODYD proposed by Ric's Grill for 1585 Abbott Street;

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

2.0 SUMMARY

The applicants are seeking Council support for an extension to the permitted hours of operation for their food primary license. Ric's Grill currently operates from 11 a.m. to 12 a.m. seven days per week. The applicants are seeking to extend these hours to 11 a.m. to 1 a.m. seven days per week. The applicants feel that these extended hours of operation would allow Ric's more flexibility with respect to special events/special occasions.

3.0 BACKGROUND

3.1 Site Context

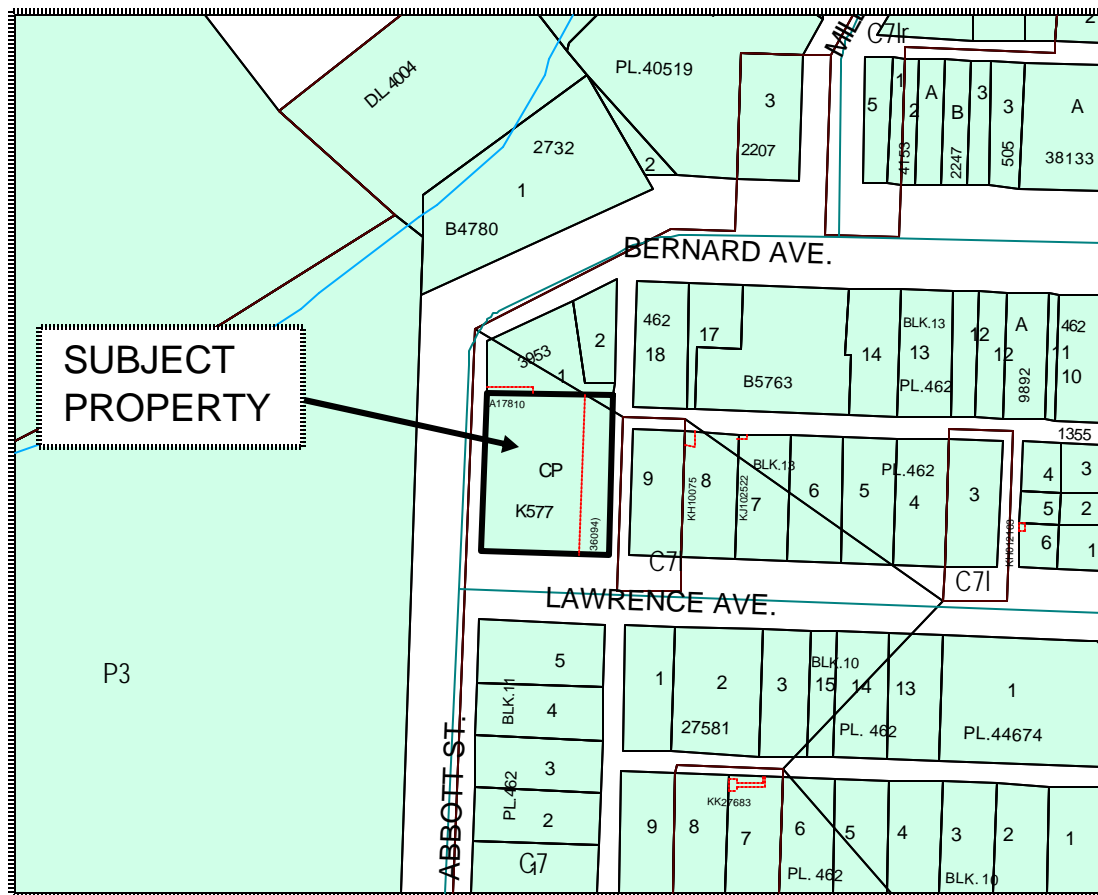
The subject property is located on the northeast corner of Abbott Street and Lawrence Avenue.

Adjacent zones and uses are:

- North -C7 – Central Business Commercial – Fresh is Best
(Chips and Salsa)
- East -C7 – Central Business Commercial – Cheetahs
(Adult Entertainment)
- South -C7 – Central Business Commercial – Financial Services Group Inc.
- West -P3 – Parks and Open Space – City Park

3.2 Site Location Map

Subject Properties: 1630-1654 Ellis Street/466-484 Leon Avenue



3.3 Current Development Policy

3.3.1 Kelowna Downtown Plan

One of the goals stated in the Kelowna Downtown Plan is to have a Downtown that expresses its identity through arts and cultural assets, as a unique place to live, work, socialise, shop and conduct business.

3.3.2 Mayor's Entertainment District Task Force (MEDTF)

The subject property is located in the Yellow area identified by the Mayor's Entertainment District Task Force. The MEDTF report discourages extensions to hours of liquor service beyond 2 a.m. for liquor primary licenses establishments however does not make any recommendations for food primary licensed establishments located in this area.

3.3.3 Liquor Control and Licensing Branch Criteria

a) **The location of the establishment**

The liquor primary establishment is located in the downtown "Yellow Zone" identified by the Mayor's Entertainment District Task Force report. There is one liquor primary license establishment next door (to the east) of the subject property.

b) **The person capacity and hours of liquor service of the establishment**

Council has recommended (MEDTF) that the hours of operation for other liquor primary establishments not exceed 2 a.m.. Council has not identified any restrictions for food primary licensed establishments in terms of hours of operation.

c) **Traffic, noise, parking and zoning**

Staff does not anticipate that extending the hours of operation to 1 a.m. (7 days per week) will have any impact on traffic. The extension may generate an extra hour of noise from patrons leaving the restaurant.

d) **Population, population density and population trends**

Ric's Grill is located in a downtown area that is in transition and is attracting some interest in terms of commercial redevelopment.

e) The impact on the community if the application is approved

Ric's Grill is an up-scale restaurant. It is not anticipated that an extension to the hours of operation (liquor service) will have any negative impact on the community.

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 Comment.

4.2. RCMP

Do not oppose extension.

4.3. Fire Department

No comment.

4.4. Public Health Inspector

No comment.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department has no objections to this application. The application is not affected by the recommendations of the Mayor's Entertainment District Task Force. Staff are not aware of any complaints in relation to the operation of Ric's Grill with its current operating hours.

Andrew Bruce
Manager of Development Services

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.: | LL03-0021 |
| 2. APPLICATION TYPE: | Liquor License Application |
| 3. OWNER:
ADDRESS
. CITY
. POSTAL CODE | C.2K Holdings Ltd., Inc.No.585452
2305 James Road
Kelowna, BC
V1W 2T8 |
| 4. APPLICANT/CONTACT PERSON:
. ADDRESS
. CITY
. POSTAL CODE
. TELEPHONE/FAX NO.: | Sal Gupta
210 Lawrence Avenue
Kelowna, BC
V1Y 6L3
869-1586 |
| 5. APPLICATION PROGRESS:
Date of Application:
Date Application Complete:
Staff Report to Council: | November 5 th , 2003
November 5 th , 2003
January 13 th , 2003 |
| 6. LEGAL DESCRIPTION: | Strata Lot 1, DL.1394, Strata Plan
K577, ODYD |
| 7. SITE LOCATION: | The subject property is located on the
northeast corner of Abbott Street and
Lawrence Avenue. |
| 8. CIVIC ADDRESS: | 1585 Abbott Street |
| 9. AREA OF SUBJECT PROPERTY: | 1692m ² |
| 10. EXISTING ZONE CATEGORY: | C7-Central Business Commercial |
| 11. PURPOSE OF THE APPLICATION: | TO OBTAIN COUNCIL SUPPORT FOR A CHANGE
TO THE PERMITTED HOURS OF OPERATION
PERMITTED FOR THE FOOD PRIMARY LICENSE
FROM 12 A.M.-1 A.M. 7 DAYS PER WEEK |
| 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