
CITY OF KELOWNA
MEMORANDUM

Date: June 29, 2004
File No.: N/A
To: City Manager
From: Planning & Corporate Services Department
SUBJECT: **EXTENDED DISPERSAL TIMES FOR LIQUOR PRIMARY LICENSEES
IN THE DOWNTOWN AREA(INFORMATION REPORT)**
PURPOSE: TO INCREASE DISPERSAL TIME FOR LIQUOR PRIMARY LICENSEES
WHO HAVE ENTERED INTO A GOOD NEIGHBOUR AGREEMENT
WITH THE CITY OF KELOWNA
PREPARED BY: RYAN SMITH

1.0 **RECOMMENDATION**

That Council receive an information report from Staff relating to increased dispersal times for liquor primary licensees as supported by the Mayor's Entertainment District Task Force;

That Council support an extra half hour of dispersal time for Flashback's Nightclub from 2:30 existing to 3:00am proposed;

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

2.0 **SUMMARY**

After the conclusion of the Mayor's Entertainment District Task Force in mid-2003 Council adopted the recommendations contained in the final report. The Task force supported the extension of dispersal periods by one half hour. This would provide a one hour window for dispersal where there is no liquor service and create a longer "cooling off" period at the end of the evening and help to alleviate the exodus from downtown bars and nightclubs between 2:00am and 2:30am.

Staff had passed the report of the Mayor's Entertainment District Task Force containing the recommendation noted above to the Liquor Control and Licensing Branch shortly after the final report was released. The Liquor Control and Licensing Branch considered the recommendation and passed along the following feedback:

- Interested liquor primary establishments in Kelowna would be required to enter into a Good Neighbour Agreement with the City.
- Interested liquor primary establishments would be required to make a formal application to the LCLB for the extension.

- A resolution from Council would be required. This resolution may either be a broad resolution supporting all licensee who had submitted both of the items above or specific to one licensee.
- The General Manager could make a discretionary decision regarding the proposed extended dispersal period based on the material submitted by the local government and applicant.

In May of 2004, Staff sent an informational letter to all liquor primary licensed establishment's that currently ended liquor service at 2:00am and allowed one half hour to dispersal. The letter (attached to this report) explained that should the establishment wish to pursue an extra half hour of dispersal time, they would need to enter into a Good Neighbour Agreement with the City of Kelowna and make an application to the Liquor Control and Licensing Branch. A Good Neighbour Agreement was also circulated to each liquor primary license holder that received an informational letter. Each licensee was provided with a two week window of opportunity to respond with a letter to the City of Kelowna acknowledging the desire for a longer dispersal period and provide a signed Good Neighbour Agreement. The lapsed since the staff letter has now been five weeks. Of the 12 liquor primary licensed establishments that received packages from the Planning and Corporate Services Department, only Flashback's responded with a signed Good Neighbour Agreement.

3.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

Staff support a resolution to allow an extension to the dispersal time for Flashback's nightclub. The ½ hr. extension for an increased dispersal period is consistent with the recommendations of the Mayor's Entertainment District Task Force. Staff have no further concerns but recommend that Council review this case in 6 months time to examine the effects.

Andrew Bruce
Manager of Development Services

Approved for inclusion

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

RM/AB/rs
Attach.