
CITY OF KELOWNA

MEMORANDUM

Date: July 21, 2004
File No.: LL04-0002

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. LL04-0002

OWNER: Springfield Plaza Inc.

AT: 1585 Springfield Road

APPLICANT: Springfield Plaza Inc.

PURPOSE: TO OBTAIN COUNCIL SUPPORT FOR A LIQUOR
PRIMARY LICENSE WITH A CAPACITY OF 425 PERSONS
WITH HOURS OF OPERATION FROM 9 A.M. TO 11:59
P.M. MONDAY TO SUNDAY

TO OBTAIN COUNCIL SUPPORT FOR 6 TEMPORARY
CHANGE PERMITS PER YEAR THAT WOULD ALLOW THE
ENTIRE FACILITY TO BE LICENSED UNDER THE LIQUOR
PRIMARY LICENSE FOR A CAPACITY EQUAL TO THE
BUILDINGS OCCUPANT LOAD (1254)

EXISTING ZONE: CD16 – BINGO AND GAMING

REPORT PREPARED BY: RYAN SMITH

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Council support a liquor primary license with a capacity of 425 persons and hours of operation from 9 a.m. to 11:59 p.m. Monday to Sunday on Lot A, District Lot 129, ODYD Plan KAP70110 proposed by John McAfee of Springfield Plaza Inc. for 1585 Springfield Road;

THAT Council not support six special occasion licenses per calendar year allowing the liquor primary license capacity to be increased to the buildings occupant load (1254) on Lot A, District Lot 129, ODYD Plan KAP70110 proposed by John McAfee of Springfield Plaza Inc. for 1585 Springfield Road;

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

2.0 SUMMARY

The applicant is seeking Council support for a liquor primary license for the Bingo Kelowna facility at 1585 Springfield Road.

3.0 BACKGROUND

Council created and adopted the CD16 – Bingo and Gaming zone in June of 2004 specifically for the Bingo Kelowna site. Council also supported a development permit for an expansion to the existing facility at this time. The intent of the Comprehensive Development zone was to create a site specific zone that would allow gaming as a permitted use in addition to the existing bingo use. The property was formerly zoned C10 – Service Commercial. The provisions of this zone were streamlined and used to create the CD16 zone.

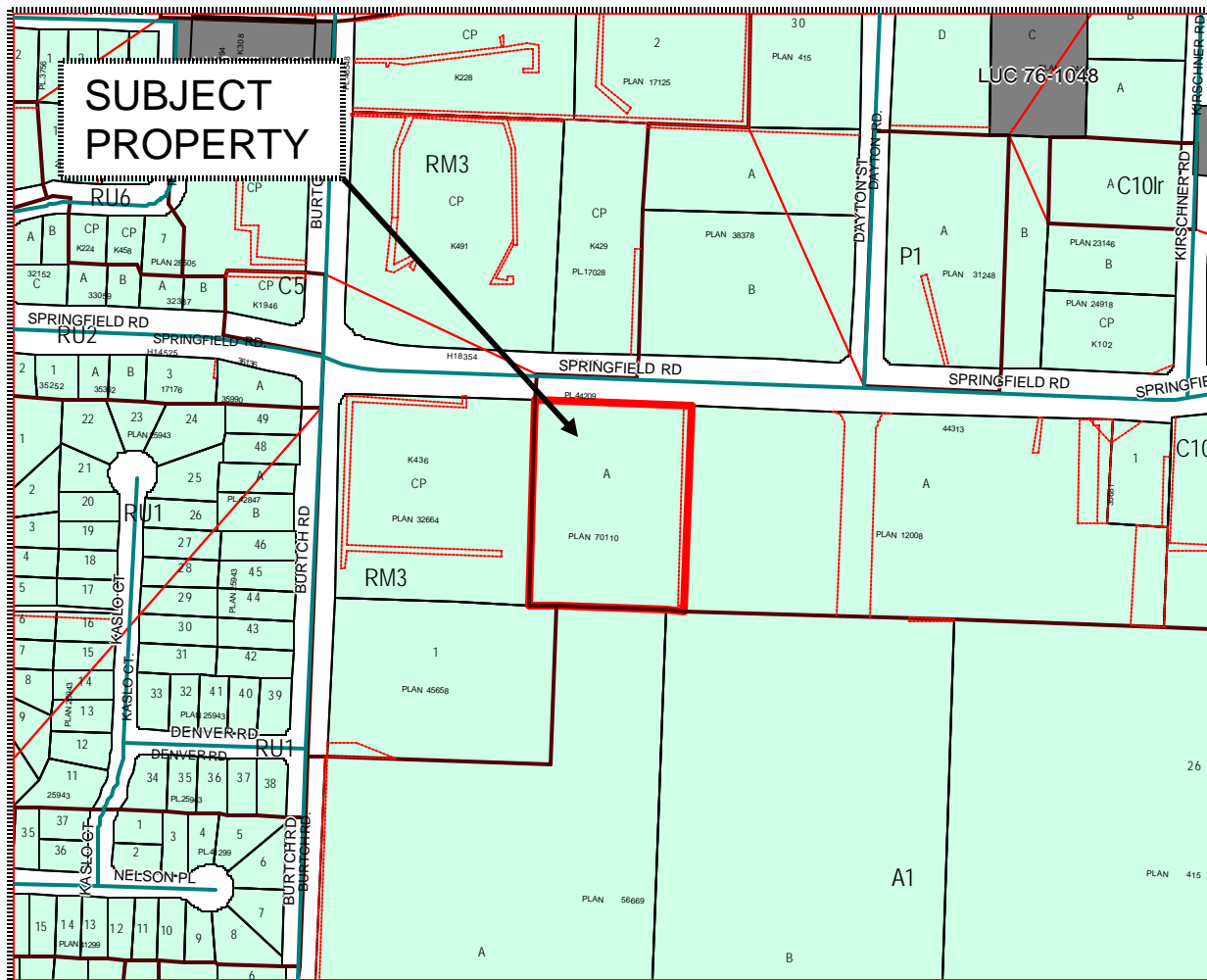
3.1 The Proposal

Bingo Kelowna is seeking a Council resolution to support a liquor primary license for their expanding Bingo facility. The applicant is seeking to license the entire expansion of the Bingo Kelowna facility as well as the “Starship Lounge” area, and an area in the smoking section of the existing facility. While the applicant had originally sought a capacity of 1200 to license the entire facility the applicant has now opted to seek a capacity of 425 persons. The applicant will seek a discretionary decision from the General Manager of the Liquor control and licensing branch to allow staff to transport liquor between licensed areas of the establishment.

The proposed hours of operation are 9a.m. to 11:59p.m., Monday through Sunday. The abutting residential development to the east agreed to support these proposed hours of operation provided that the applicant limit parking adjacent to the development in the evenings and ended liquor service before 12 a.m..

The applicant is also seeking Council support for six temporary change permits (on an annual basis) that would permit a capacity increase from 450 persons to the facilities occupant load of 1254 persons.

Criteria	Proposed	Required
Occupant Load	1254	N/A
Liquor Primary Capacity (total)	425	1254 Max
License Capacity in New Addition	300	300
License Capacity – Starship Lounge (non-smoking)	50	75
License Capacity – Smoking Area	75	n/a



3.4 Current Development Policy

3.4.1 Mayor's Entertainment District Task Force (MEDTP)

No new, expanded or relocated Liquor Primary Establishments with a capacity greater than 500 shall be permitted.

*With a proposed capacity of 425 the proposed liquor primary license would meet this criterion.

Any new, expanded or relocated Liquor Primary establishment with a capacity of 350 persons or more shall not be located closer than 100 metres (shortest travel distance) to another Liquor Primary Establishment with a person capacity between 150 and 350.

*At a distance of approximately 300m the proposed liquor primary license would conform to this criterion.

3.4.2 Liquor Control and Licensing Branch Criteria

a) **The location of the establishment**

The subject property is located the south side of Springfield Road between Burtch Road and Dayton Road (west of Rona). The Bingo Kelowna facility abuts residential development to the east and north. To the west of the Bingo facility is Rona and to the south is agricultural land.

b) **The proximity of the establishment to other social or recreational facilities and public buildings**

Parkinson Recreation Centre is located approximately 1km from the Bingo Kelowna site. It is not anticipated that the proposed liquor license would impact this facility.

c) **The number and market focus or clientele of liquor-primary licence establishments within a reasonable distance of the proposed location**

The target market of Bingo Kelowna is adults between the ages of 25-65+. The primary focus is the 35-54 age group. The target market income is a family income of \$45,000 - \$80,000. A significant portion of the target market is located in residential neighbourhoods within a 3 kilometre radius of the proposed development.

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

The proposed capacity is 425 which is consistent with existing City of Kelowna policy for new liquor primary establishments. The

proposed hours of operation are 9a.m. to 11:59p.m., Monday through Sunday.

e) Traffic, noise, parking and zoning

The current zoning designation of the subject property can accommodate the proposed liquor primary license. The applicant has attempted to address noise concerns from the residential development to the east by committing to restrictions on parking on this side of the building during the late evening. The applicant has secured additional overflow parking in the adjacent Rona parking lot should it be required. The existing parking area provides adequate parking to meet zoning bylaw requirements.

f) Population, population density and population trends/relevant socio-economic information

There is a growing residential population within 3km of the proposed development.

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

Approval of this application may trigger increased traffic and related noise in the area. The RCMP are concerned about the potential impacts of a liquor license at this site.

h) Method of Public Input

The public are provided an opportunity to comment on this application at a public meeting held by Kelowna City Council. This meeting will be advertised according to Council Policy #315.

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

The RCMP has concerns with a liquor license at this location.

4.3. Fire Department

Will this building still meet the requirements for an un-sprinklered structure once the addition is installed?

4.4 Public Health Inspector

No comment.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department has several concerns relating to this liquor primary license application. During the zoning phase of the initial application staff did not support the “LP” designation for the property. This was based on feedback from the RCMP; however, the proposal has been revised in order to maintain consistency with the policy of the Mayor’s Entertainment District Task Force and Council has also supported a Comprehensive Development Zone for Bingo Kelowna that included the Liquor Primary use.

The Planning and Corporate Services Department does not support the applicants request for six temporary changes to the liquor primary license per year to allow an increase in capacity for special events. It must be noted that staff and Council have already created an application process for temporary changes to liquor licenses which allows three temporary changes per license per year. This proposal exceeds the existing provisions and therefore staff is unable to provide support.

6.0 ALTERNATE RECOMMENDATION

THAT Council support a liquor primary license with a capacity of 425 persons and hours of operation from 9 a.m. to 11:59 p.m. Monday to Sunday on Lot A, District Lot 129, ODYD Plan KAP70110 proposed by John McAfee of Springfield Plaza Inc. for 1585 Springfield Road;

THAT Council support six special occasion licenses per calendar year allowing the liquor primary license capacity to be increased to the buildings occupant load (1254) on Lot A, District Lot 129, ODYD Plan KAP70110 proposed by John McAfee of Springfield Plaza Inc. for 1585 Springfield Road;

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

Andrew Bruce
Manager of Development Services

Approved for inclusion

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

RM/AB/rs
Attach.

FACT SHEET

1. **APPLICATION NO.:** LL04-0002
2. **APPLICATION TYPE:** Liquor License Application
3. **OWNER:** Springfield Properties Inc.
· **ADDRESS** 1585 Springfield Road
· **CITY** Kelowna, BC
· **POSTAL CODE** V1Y 5V5
4. **APPLICANT/CONTACT PERSON:** Springfield Properties Inc.
· **ADDRESS** 1585 Springfield Road
· **CITY** Kelowna, BC
· **POSTAL CODE** V1Y 5V5
· **TELEPHONE/FAX NO.:** 762-2880
5. **APPLICATION PROGRESS:**
 Date of Application: February 19, 2004
 Date Application Complete: February 19, 2004
 Servicing Agreement Forwarded to Applicant: N/A
 Servicing Agreement Concluded: N/A
 Staff Report to APC: March 16, 2004
 Staff Report to Council: N/A
6. **LEGAL DESCRIPTION:** Lot A, District Lot 129, ODYD Plan KAP70110
7. **SITE LOCATION:** The subject property is located the south side of Springfield Road between Burtch Road and Dayton Road (west of Rona).
8. **CIVIC ADDRESS:** 1585 Springfield Road
9. **AREA OF SUBJECT PROPERTY:** 12739m²
10. **AREA OF PROPOSED REZONING:** 12739m²
11. **EXISTING ZONE CATEGORY:** C10 –Service Commercial
12. **PROPOSED ZONE:** CD16-Bingo and Gaming
13. **PURPOSE OF THE APPLICATION:** TO OBTAIN COUNCIL SUPPORT FOR A LIQUOR PRIMARY LICENSE WITH A CAPACITY OF 425 PERSONS WITH HOURS OF OPERATION FROM 9 A.M. TO 11:59 P.M. MONDAY TO SUNDAY
14. **MIN. OF TRANS./HIGHWAYS FILES NO.:** N/A
 NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY
15. **DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS** N/A

ATTACHMENTS

(not attached to the electronic version of the report)

- Subject Property Map
- Floor Plans
- Information package submitted by applicant