
CITY OF KELOWNA

MEMORANDUM

Date: May 18, 2005

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. LL05-0005

OWNER: Evergreen Lands Limited,
594919 BC Ltd., Peacock Insurance &
Financial Group Inc., Viewcrest Estates Ltd.,
Brainwave Management Inc.

AT: 1180 Sunset Drive

APPLICANT: Waterfront Wines Bistro

PURPOSE: THE APPLICANT IS SEEKING COUNCIL ENDORSORSEMENT
FOR AN EXTENSION TO THE HOURS OF LIQUOR
SERVICE

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Council support an extension to the permitted hours of liquor service for Waterfront Wines Bistro from 11am to 10pm Sunday-Wednesday; and from 11am to 11pm Thursday; and 11am to 12am Friday and Saturday to 11am – 12am Sunday to Thursday and 11am – 1am Friday and Saturday, on Lot B, Plan KAP49982, DL. 139, ODYD, except Strata Plan KAS1261(Phase 1), for 1180 Sunset Drive 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 a council endorsement for a proposed extension to the hours of operation for a liquor primary licensed establishment.

3.0 BACKGROUND

3.1 The Proposal

The applicant has applied to the City of Kelowna and the Liquor Control and Licensing Branch for an extension to the hours of operation for the Waterfront Wines Bistro at 1180 Sunset Drive. Waterfront Wines Bistro received Council support for its liquor primary license in the fall of 2003. Waterfront Wines is located in one of three ground floor units of a three storey mixed use development on the

subject property. This liquor primary license is also associated with a licensee retail store which occupies the adjacent unit.

The Waterfront Wines Bistro is an upscale wine and tapas bar which has an interior connection to the licensee retail store. The interior capacity for the liquor primary license is 98 persons while the patio is licensed for an additional 20 persons.

Waterfront Wines currently enjoys the following hours of liquor service:

Sunday – Wednesday: 11am – 10pm
Thursday: 11am – 11pm
Friday – Saturday: 11am – 12am

Waterfront Wines is seeking Council support for the following extended hours of operation:

Sunday – Thursday: 11am – 12am
Friday – Saturday: 11am – 1am

3.2 Site Context

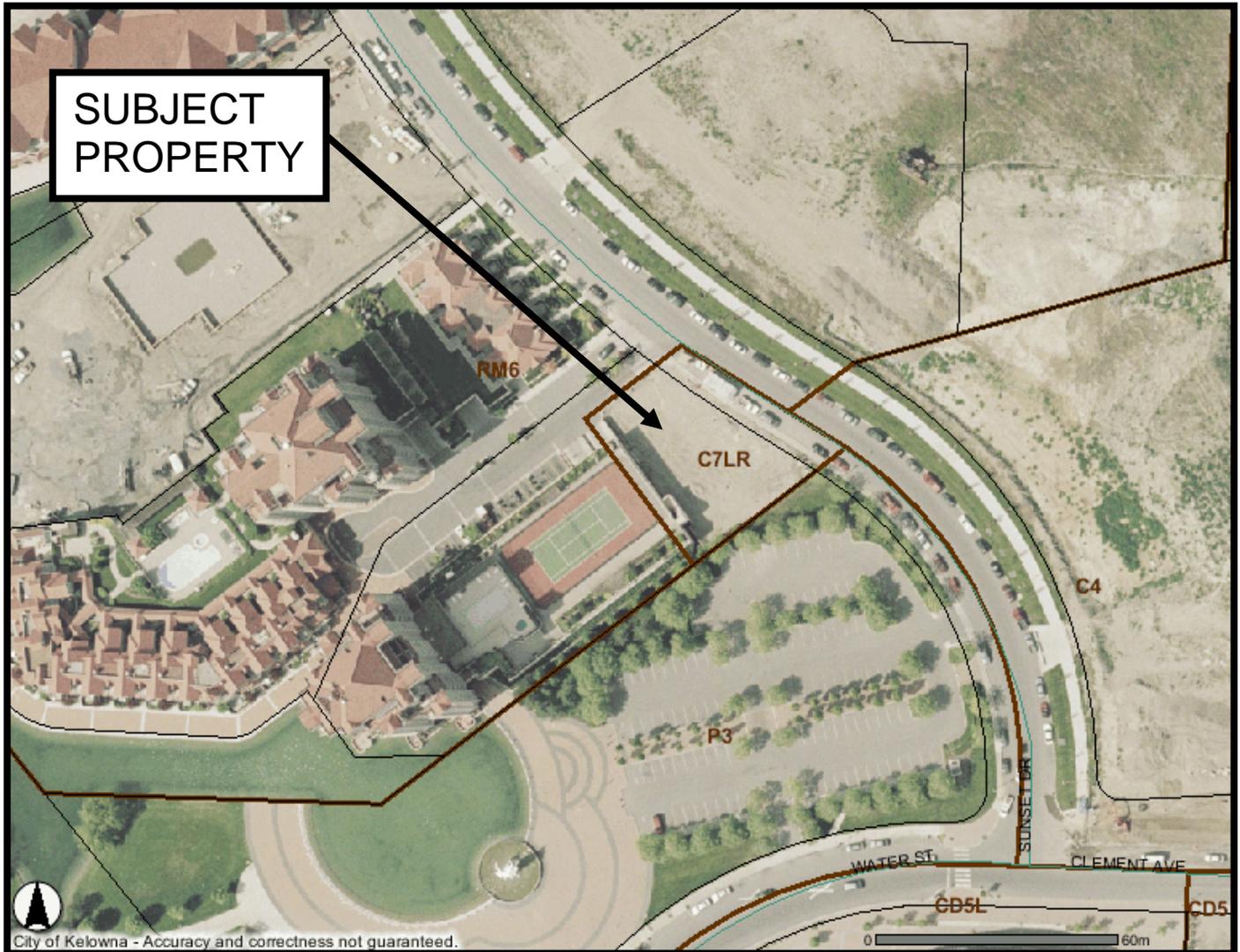
The subject property is located on Sunset Drive northwest of its intersection with Clement Avenue.

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



3.4 Liquor Licensing Policy

3.4.1 Mayor's Entertainment District Task Force

The MEDTF report does not contain any policy that would discourage the extended hours of operation as proposed by the Waterfront Wines Bistro.

3.4.2 Liquor Control and Licensing Branch Criteria

a) **The location of the establishment**

The liquor primary establishment is located on the ground floor of a mixed use commercial/residential development. There are several large residential towers in close proximity to the subject property.

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

The proposed hours of liquor service are beyond those which the applicant committed to with Council and concerned property owners in the neighbourhood during the initial public meeting process for the liquor primary license.

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

Increased hours of operation have the possibility of leading to increases in noise and traffic in this area. There is a City parking lot adjacent to the subject property which may help to accommodate any increase in traffic. The subject property is zoned appropriately for the existing liquor primary licensed establishment.

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

The subject property is in an area where the residential population is increasing rapidly. The majority of the residential development in this area is in the form of high-rise condominiums.

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

Staff do not anticipate any negative impacts if the application is approved given the fact that no complaints have been received in relation to the operation of Waterfront Wines Bistro since it began operations.

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

No concerns.

4.4. Public Health Inspector

No comment.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

During the public process at the time of the initial application the applicant committed to the existing hours of operation to ease the concerns of residents in neighbouring developments. Although staff have no direct policy related concerns with this application it should be noted that at the time when Council considered the initial liquor primary license application, the residents in the abutting high-rise developments expressed significant concerns with regard to the location and hours of operation for this liquor primary licensed establishment.

Staff recognize that one of the intents of the policy that was created was to minimize the potential conflicts between liquor primary licensed establishments and abutting development. For this reason, staff feel that the public input process relating to this application will be important in order to determine the impact of increased hours on neighbouring development.

Andrew Bruce
Development Services Manager

Approved for inclusion

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

RM/AB/rs
Attach.

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property