
CITY OF KELOWNA

MEMORANDUM

DATE: NOVEMBER 1, 2007

TO: CITY MANAGER

FROM: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

APPLICATION NO. LL07-0008

LICENSEE: Coyote's Waterfront Bar & Grill

AT: The Grand Okanagan Lakefront Resort
1352 Water Street

APPLICANT: Rose Sexsmith

PURPOSE: TO OBTAIN COUNCIL SUPPORT FOR A PERMANENT EXTENSION OF HOURS FOR LIQUOR SERVICE FOR AN EXISTING FOOD PRIMARY LIQUOR LICENSE, HANNA'S WATERFRONT LOUNGE & GRILL (FORMERLY COYOTE'S WATERFRONT BAR & GRILL) LOCATED AT THE GRAND OKANAGAN LAKEFRONT RESORT

REPORT PREPARED BY: Corine (Cory) Gain, MCIP, CPT

1.0 RECOMMENDATION

In compliance with Section 53 of the *Liquor Control and Licensing Regulation* be it resolved THAT:

1. Council does Supports an application from Rose Sexsmith of Skyriders Holdings Ltd. dba Coyote's Waterfront Bar & Grill to change the name to Hanna's Waterfront Lounge & Grill located at 1352 Water Street and legally described as: Lot 1 District Lots 139, 4041 and 4082 Osoyoos Division Yale District Plan KAP73542 for an **extension of hours of liquor service** because the changes proposed will be confined to the area currently under license and are not anticipated to have significant impact on the tenants or patrons of The Grand Okanagan Lakefront Resort development or the surrounding neighbourhood. The proposal is consistent with the type of mixed use development in the area.
2. The Council's comments on the prescribed considerations are as follows:
 - a) The potential for noise if the application is approved is remains relatively unchanged as Rose's Waterfront Pub, the establishment located directly below the subject premises at street level, is open from 9:00 am to 2:00 am;
 - b) The impact on the community if the application is approved is considered minimal given that the establishment is located within an established tourist commercial area with ample parking in the vicinity; and

- c) It is not anticipated that the amendment will result in the establishment being operated in a manner that is contrary to its primary purpose.
3. The Council's comments on the views of residents are as contained within the staff report submitted for consideration and the minutes of the meeting at which the application was considered by Council.

2.0 SUMMARY

The use of the property is consistent with the C8 – Convention Hotel Commercial (Retail Liquor Primary) zoning. The applicant has an existing Food Primary License with a capacity of 226 (Main Dining: 101; Lounge: 25; and Patio: 100). The Inspection Services Department has confirmed the occupant load for the renovated space as 116 persons inside the restaurant and 60 persons on the patio (see Attachment 'D'). The proposed name change will see the name change from Coyote's Waterfront Bar & Grill to Hanna's Waterfront Lounge & Grill. The applicant is seeking Council support an extension of the hours of liquor service on the existing Food Primary Liquor License from midnight to 1:00 am.

The liquor license issued to Rose's Waterfront Pub permits liquor service from 9:00 am to 2:00 am. Rose Sexsmith, operator of both establishments signed a City of Kelowna Good Neighbour Agreement relative to Rose's Waterfront Pub on September 6, 2003.

The extension of hours of service would allow the restaurant to serve liquor beyond midnight to 1 am. The applicant has stated that the reason for the change in hours is:

"I am planning to do weddings and am always asked for hours to 1:00 am for other banquets and parties."

3.0 LIQUOR LICENSE INFORMATION

Existing Licence Summary	Licence 161039
Food Primary Licence Capacity	226 persons
Hours of Operation	10 am – Midnight

Terms and Conditions:

- For the sale and consumption of all types of liquor in establishments with a primary focus on the service of food
- The terms and conditions to which this licence is subject include the terms and conditions contained in the publication 'Guide for Liquor Licensees in British Columbia' as that publication is amended from time to time
- Liquor may only be sold, served and consumed within the areas outlined in red on the official plan, unless otherwise endorsed or approved by the LCLB
- Patio extension permitted as outlined in red on the official plan
- Patron participation entertainment other than games permitted within the premise
- Pursuant to Section 12 of the regulations, the licence has been issued with a lounge endorsement

4.0 LIQUOR CONTROL AND LICENSING BRANCH CRITERIA

- (a) The potential for noise if the application is approved:

No concerns have been identified; it is not anticipated that there will be a significant change over the level of noise generated currently by Rose's Waterfront Pub, located directly below the subject establishment at street level. The noise is consistent with the tourist commercial character of the area.

- (b) The impact on the community if the application is approved:

No concerns have been identified; it is not anticipated that there will be any significant change to the existing level of impact on the community as a result of the extension of hours from midnight to 1 am.

- (c) Whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose:

It is not anticipated that the extended hours of liquor service will result in the establishment being operated in a manner that is contrary to its primary purpose.

- (d) The views of residents:

Views of the residents will be gathered at a public meeting in accordance with Council Policy #315.

5.0 TECHNICAL COMMENTS

See Attachment 'C'.

6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The Planning and Development Services Department has no concerns with the applicant's request for the extension of hours of liquor service to 1 am.

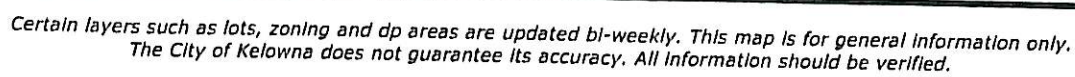


Shelley Gambacort
Current Planning Supervisor

Attachments:

- A - Location Map
- B - Orthophoto Map
- C - Technical Comments
- D - Occupant Load Calculation confirmation

;cg





File: LL07-0008

Existing Use: Restaurant/Pub
 Proposed Use: To increase hours of operation and name change

Conform: Yes

Proposed Lots: Units:
 Final Lots: Units: General Comment:
 Remainder Lots: ESA Remainder Comment:
 Floor Space: m2
 Lot Size: ha m2
 Front x Depth: m X m Irregular:

Development Areas

Area Location
 GENERAL COMMERCIAL AREA

Zoning

Existing Zone: C8LR # Lots: 1

Fees

Invoice	Status	Date	Parameter	Fee	Charge
104265	Active	2007-08-21		Liquor License Application (public meeting)	500.00
					500.00
104265	Active	2007-08-21	1 signs	Development Sign (small)	18.00 G
104265	Active	2007-08-21		GST Reg. No. R12193 7551 RT	1.08
					19.08

File Progress

Step	Date	Comment
Application Accepted	2007-08-21	
Applicant Contacted Re Sign	2007-08-21	
Application Circulated	2007-08-21	
All Agency Comments Received		
Additional Info Required		
Additional Info Received		
Report Forwarded to Council		
Council Consideration		
Fwd Resolution to LCCB		
File Closed		

File Circulation

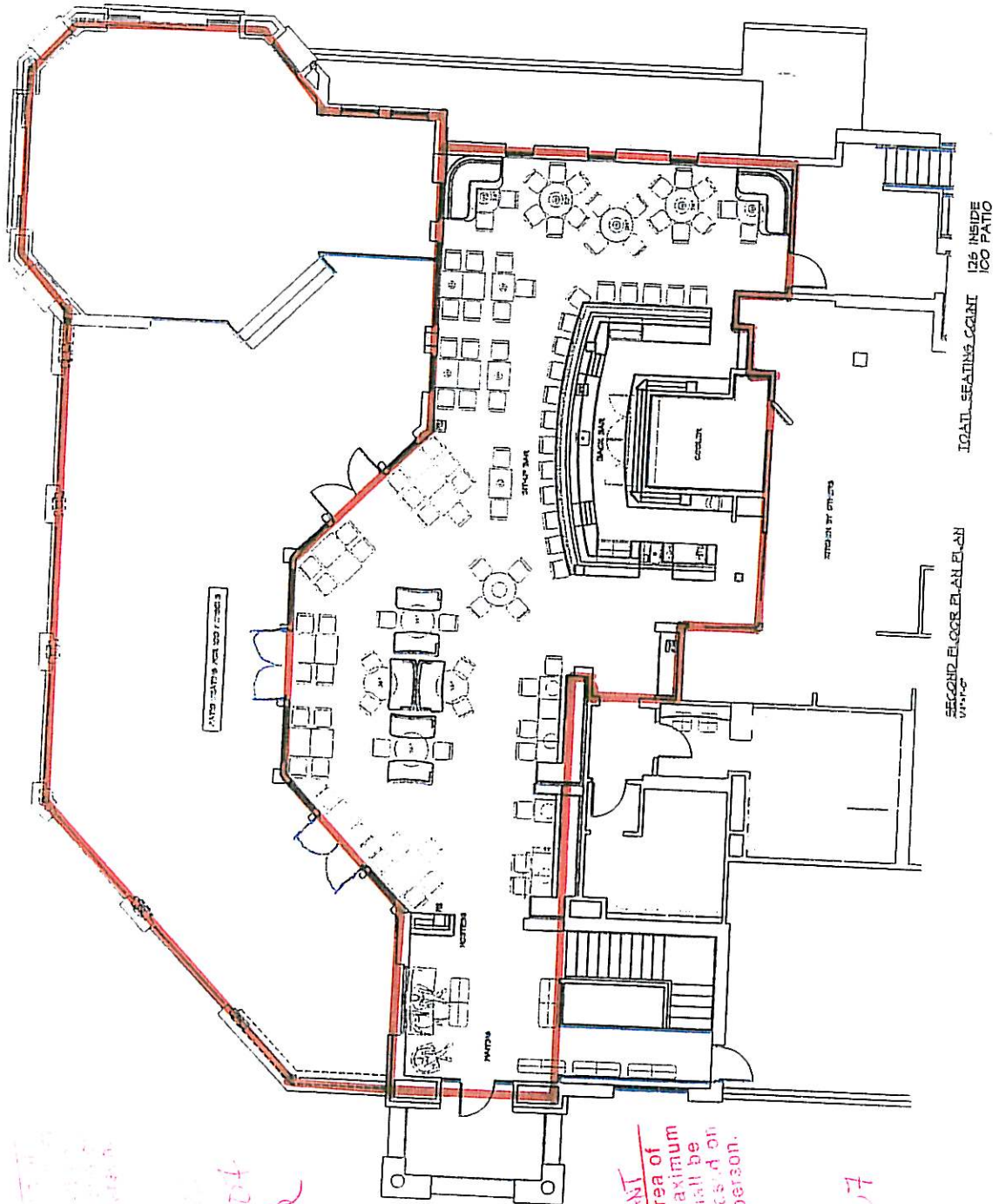
Seq	Out	In	By	Comment
				Fire Department
2007-08-21	2007-08-21		GDAFT	A Fire safety plan as per section 2.8 of the BCFC is required at occupancy.
				Inspections Department
2007-08-21	2007-08-28			No Comment
				Public Health Inspector
2007-08-21				
				RCMP - Liquor Licence
2007-08-21	2007-08-24			The Kelowna RCMP have no issue with these proposed changes

Remarks

** End of Report **

<div style="display: flex; justify-content: space-between;"> <div> <p>2003 Liberal Crescent Kelowna BC V1Y 1T1 Ph. 250.868.0577 Fax 250.868.0503</p> </div> <div> <p>RED CRAYON DESIGN Interior Design & Consulting redcrayondesign@shaw.ca</p> </div> </div>	
<p>DATE BOOKED: _____ RESERVATION OFFICE: _____ 20 MAY 2007 GIVE EVIDENCE</p>	
<p>20 MAY 2007</p>	

1352 WATER 57



The RESTROOM has a net floor area of 131.2 m². The maximum occupant load shall be 160 persons, based on 160 persons.

AD
July 14 1907