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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** May 22, 2009  
**To:** City Manager  
**From:** Land Use Management Department  
**Subject:**

**APPLICATION NO.** LL09-0007      **APPLICANT:** Black Mountain Golf Club

**AT:** 575 Black Mountain Drive      **OWNERS:** Melcor Lakeside Inc.

**PURPOSE:** TO RECEIVE COUNCIL SUPPORT FOR THE PROPOSED  
LIQUOR PRIMARY LICENSE INCLUDING TAKE-OUT  
WINDOW AND BEVERAGE CART ENDORSEMENT

**EXISTING ZONE:** C9 – Tourist Commercial

**REPORT PREPARED BY:** Luke Turri

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## **1.0 RECOMMENDATION**

In accordance with Section 53 of the *Liquor Control and Licensing Regulation* and Council Policy 315 be it resolved THAT:

1. Council recommends the issuance of the license for the application from Black Mountain Golf Club to obtain a liquor primary license for the establishment located at 575 Black Mountain Drive, Kelowna, BC, and legally described as Lot 2, Section 19, Township 27, ODYD, Plan KAP87003, for the following reasons: the proposed license would be in keeping with other golf courses in the community, and does not pose any negative effects to the surrounding area.
2. The Council's comments on the prescribed considerations are as follows:
  - a) *The location of the establishment:* The proposed location is within a master-planned residential/golf community and does not present any major land use concerns.
  - b) *The proximity of the establishment to other social or recreational facilities and public buildings:* There are no public facilities within a 3km radius of the proposed establishment.
  - c) *The person capacity and hours of liquor service of the establishment:* Service which is limited to golf course users between 9:00AM to 9:00PM is appropriate.
  - d) *The number and market focus or clientele of the liquor-primary license establishments within a reasonable distance of the proposed location:* the proposed establishment will cater to golf course patrons during golf.

- e) *Traffic, noise, parking and zoning*: the establishment is not expected to negatively affect traffic patterns and noise is not expected to be an issue. The applicant has met the requirements of the zoning bylaw with regard to road access and parking.
  - f) *Population, population density and population trends*: are suitable for the intended license. The site will be a destination golf course, attracting a far-reaching clientele base both within the community, and abroad.
  - g) *Relevant socio-economic information*: the strong tourist market, specifically for golf resorts, is beneficial to the current application.
  - h) *The impact of the community if the application is approved*: no negative impacts are anticipated, with positive growth for tourism a possibility.
3. The Council's comments on the views of residents (if applicable) are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #315 "Liquor Licensing Procedures - Liquor Primary and Retail Liquor Sales."

## 2.0 SUMMARY

A liquor license application has been forwarded by the owner to the Provincial Liquor Control and Licensing Branch for their approval. Procedurally, new liquor primary license applications require local government resolution, commenting on the application.

The applicant is seeking Council support for a liquor primary license for the golf course which would allow beverage cart service on the course, as well as a take-out window attached to the existing clubhouse.

The proposed liquor primary hours of sale are as follows:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	9:00AM	9:00AM	9:00AM	9:00AM	9:00AM	9:00AM	9:00AM
Close	9:00PM	9:00PM	9:00PM	9:00PM	9:00PM	9:00PM	9:00PM

### 2.1 Site Context

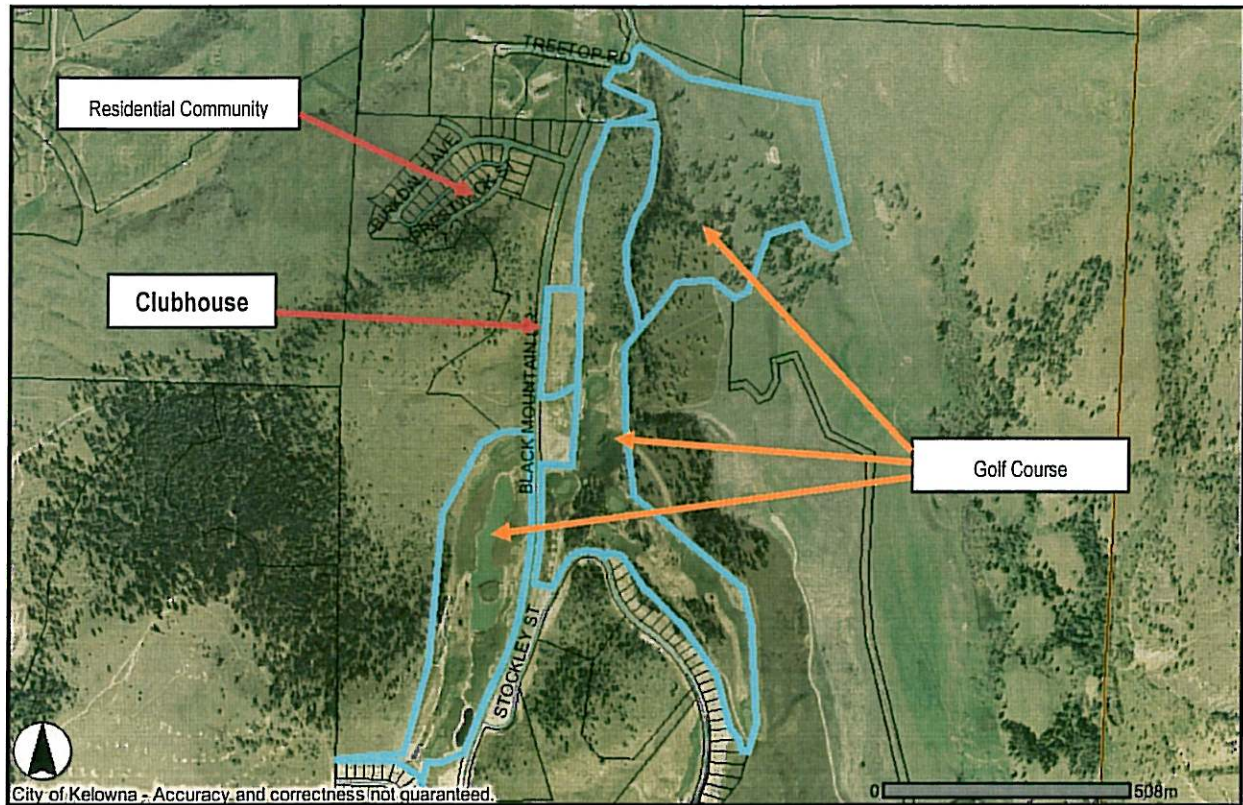
The subject property is located in the Black Mountain area, as part of a master-planned residential community.

More specifically, the adjacent land uses are as follows:

<b>North</b>	A1 – Agriculture 1
<b>East</b>	A1 – Agriculture 1
<b>South</b>	Single Family Residential
<b>West</b>	Future Residential Development

## 2.2 Site Location Map

Subject property: 575 Black Mountain Drive



## 3.0 **CURRENT DEVELOPMENT POLICY**

### 4.1 Mayor's Entertainment District Task Force Report

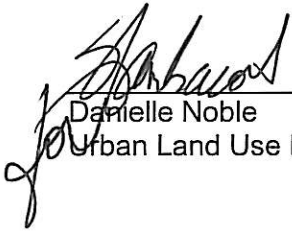
The proposed license does not contravene any policies within these guidelines.

### 4.2 Liquor Control and Licensing Branch Criteria

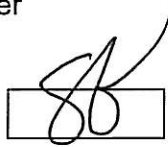
The prescribed considerations from the Liquor Control and Licensing Branch are outlined in the recommendations at the beginning of this report.

## 4.0 **LAND USE MANAGEMENT DEPARTMENT**

The Land Use Management Department is guided by the Mayor's Entertainment District Task Force Policy regarding all Liquor Primary (LP) and Retail Liquor Sales (RLS) establishments. The proposed license does not contravene any policies within the stated document. The proposed Liquor Primary designation is congruent with other golf courses in the area. The Land Use Management Department is recommending positive support from Council for this application.

  
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Danielle Noble  
Urban Land Use Manager

Approved for inclusion



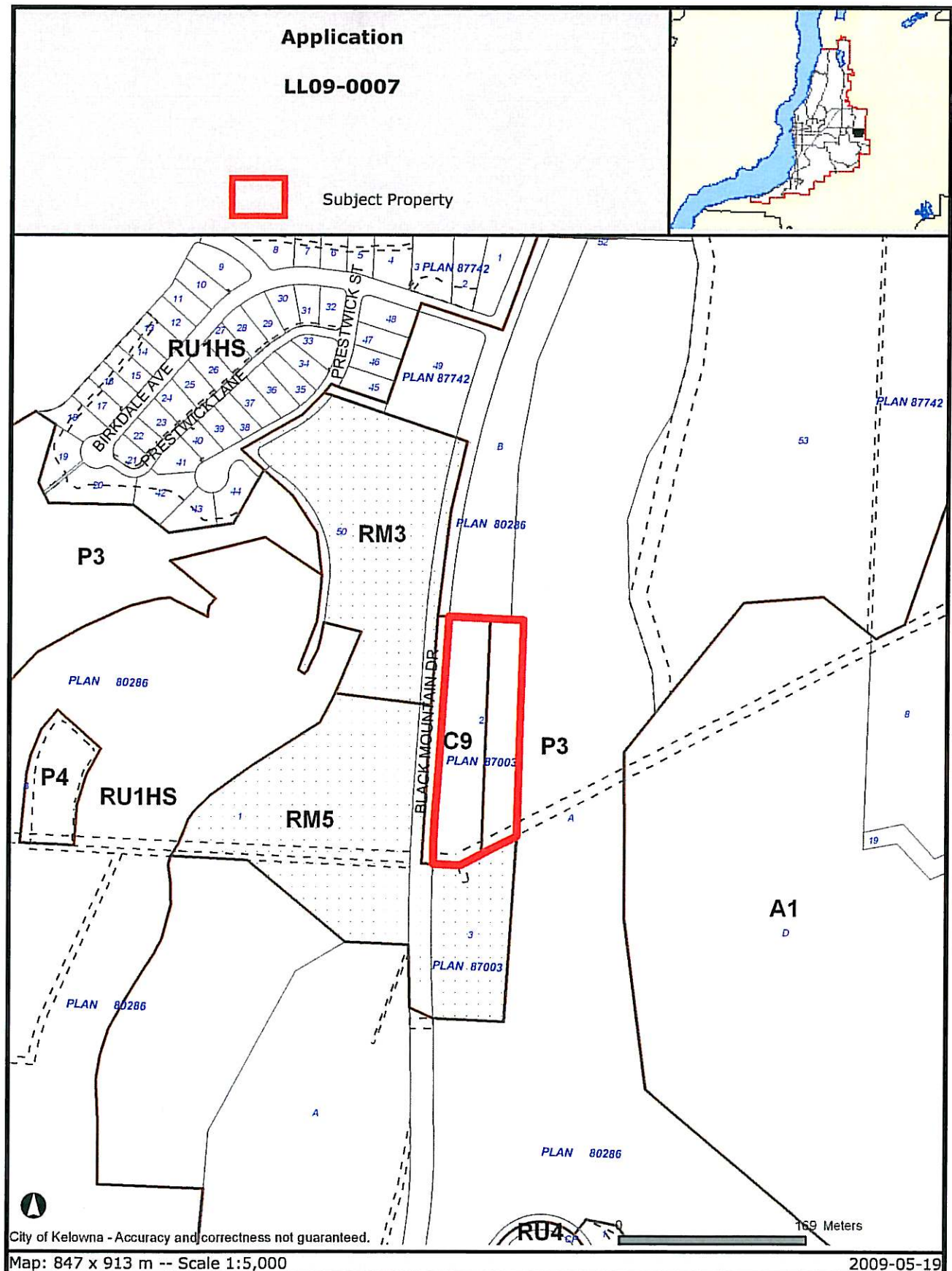
Shelley Gambacort  
Director of Land Use Management

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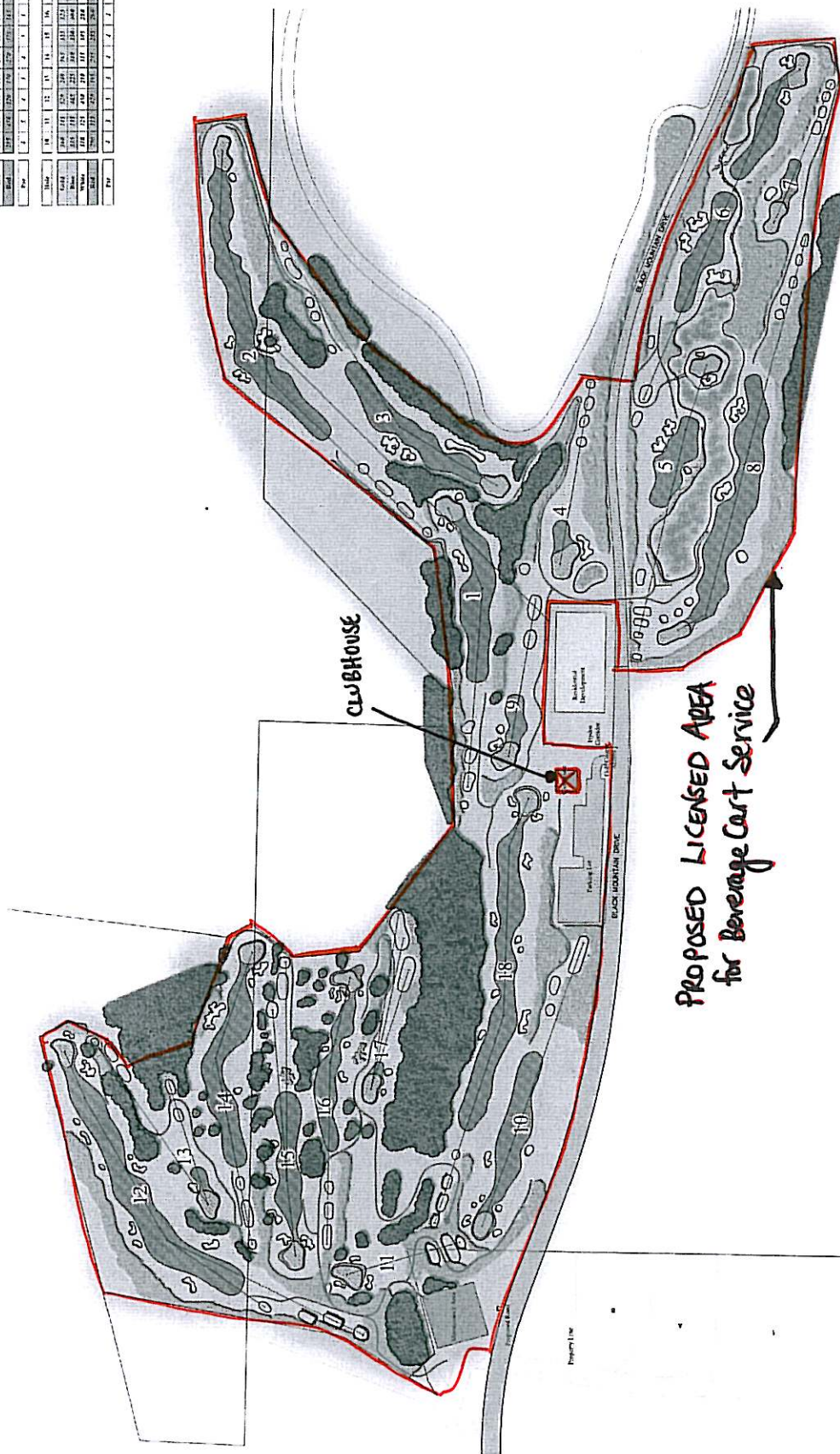
**ATTACHMENTS**

- A – Subject Property Map
- B – Proposed Licensed Area (Golf Course Layout)





Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.

[illegible]

PROPOSED LICENSED AREA  
for Beverage Cart Service

Melcor  
Development Ltd.  
Edmonton, Alberta

**GOLF COURSE ARCHITECTS**  
**COOKE ♦ CARLETON**  
**INTERNATIONAL**  
A Division of CARMAN CONNOR & ASSOC., INC.

Scale: 1 : 2000  
Date: September 2006