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

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**Date:** August 14, 2009

**To:** City Manager

**From:** Community Sustainability Division

**APPLICATION NO.:** LL09-0009

**APPLICANT:** UBC Student's Union-Okanagan  
("The Well" Pub)

**AT:** 3333 University Way

**OWNERS:** University of British Columbia

**PURPOSE:** TO RECEIVE COUNCIL SUPPORT FOR THE PROPOSED PERMANENT CHANGE TO THE EXISTING LIQUOR PRIMARY LICENSE EXTENDING HOURS OF SALE FROM 1AM CLOSING TO 2AM CLOSING AND EXPANDING TOTAL PERSON CAPACITY FROM 171 TO 370 PERSONS INCLUDING A NEW OUTDOOR PATIO

**EXISTING ZONE:** C7LP – Central Business Commercial (Liquor Primary)

**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. The Council recommends the amendment of the license for the application from The UBC Student's Union-Okanagan to amend a liquor primary license for the establishment located at 3333 University Way, Kelowna, BC (UBC Okanagan), and legally described as Lot A, Sections 10 and 11, Township 23, ODYD, Plan KAP87188 for the following reasons: *the proposed amendment would not create negative impacts to the surrounding community, and would be in-keeping with the continuing development of the university campus.*
2. The Council's comments on the prescribed considerations are as follows:
  - (a) *The potential for noise if the application is approved may show a minor increase, but is not expected to have any impact on the surrounding community.*
  - (b) *The impact on the community should the application be approved is considered negligible.*
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 are as contained within Council Policy #315 "Liquor Licensing Procedures - Liquor Primary and Retail Liquor Sales."

## **2.0 SUMMARY**

The applicant is proposing an extension to the current hours of sale from 1:00am closing to a 2:00am closing, as well as an expansion to the total person capacity from 171 persons to 370 persons, including a new outdoor patio. These changes are contemplated as the establishment is moving into a new building on the university campus.

**3.0 BACKGROUND**

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

The UBC Student’s Union-Okanagan has run “The Well” pub for many years in the existing Student Services building, part of the original campus construction. The new University Centre, ready for Fall 2009 semester, includes a new larger space for the student lounge/pub. The transfer of the license to the new space has already been approved by the LCLB, with the existing person capacity and hours of sale.

The proposed amendment would expand the person capacity to utilize this new, larger space provided, as well as an outdoor patio space. The applicant is also requesting an additional hour sale, closing at 2:00am as opposed to the 1:00am currently authorized. Currently, the closing hour of sale for all Liquor Primary establishments in the City of Kelowna is 2:00am or earlier.

Below is a summary of the proposed changes:

**Existing License Summary:**

<b>Current Hours of Liquor Sale</b>							
	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>	<b>Saturday</b>	<b>Sunday</b>
<b>Open</b>	11:00AM	11:00AM	11:00AM	11:00AM	11:00AM	11:00AM	11:00AM
<b>Close</b>	1:00AM	1:00AM	1:00AM	1:00AM	1:00AM	1:00AM	1:00AM
<b>Proposed Hours of Liquor Sale</b>							
<b>Open</b>	11:00AM	11:00AM	11:00AM	11:00AM	11:00AM	11:00AM	11:00AM
<b>Close</b>	<b>2:00AM</b>	<b>2:00AM</b>	<b>2:00AM</b>	<b>2:00AM</b>	<b>2:00AM</b>	<b>2:00AM</b>	<b>2:00AM</b>

**Current Person Capacity:** 171 persons

**Proposed Person Capacity:** 370 persons (+199 persons) including:

Indoor: 310

Outdoor/Patio: 60

**3.2 Site Context**

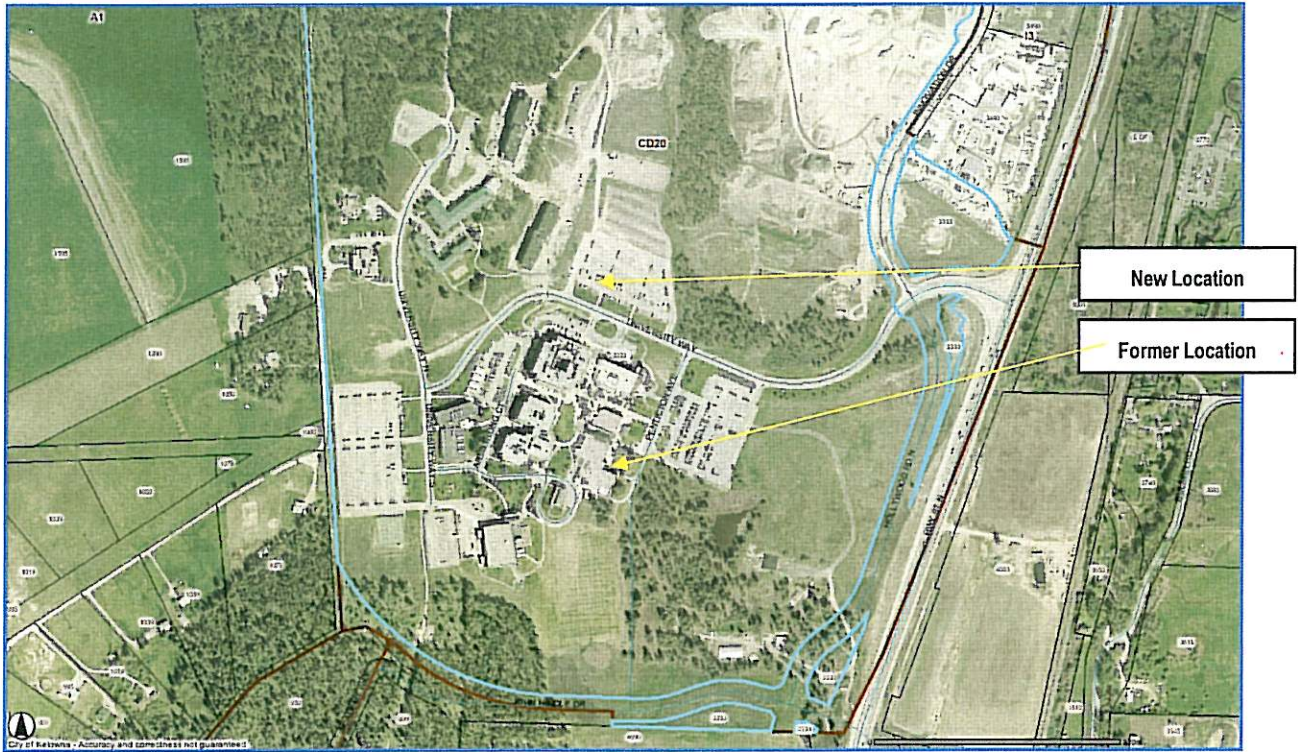
The new University Centre is located to the north of the existing Student Services Centre, within the UBO Okanagan Campus. Land uses surrounding the campus as follows:

- North** Quail Ridge Residential/Golf Community
- East** Industrial Business Park, Agriculture
- South** Agriculture, Private Elementary School
- West** Agriculture



### 3.3 Site Location Map

Subject property: 3333 University Way



#### 4.0 **CURRENT DEVELOPMENT POLICY**

##### 4.1 Mayor's Entertainment District Task Force Report/Council Policy #315

The proposed license amendment does not contravene any portion of Council Policy #315.

##### 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.

#### 5.0 **TECHNICAL COMMENTS**

##### 5.1 Public Health Inspector

No response.

##### 5.2 RCMP

We support the application to expand the capacity from 171 to 310 with an outdoor patio.

**6.0 LAND USE MANAGEMENT DEPARTMENT**

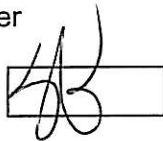
The Land Use Management Department is supportive of the proposed license amendments. The proposal is not impacted by any of the policies within Council Policy #315 relating to Liquor Primary establishments. The new venue for the student pub/lounge will assist in servicing a growing student population which has increased from 3,000 to 6,000 since the inception of UBC Okanagan, and is expected to increase to 7,500 by 2012. The increased capacity, along with the proposed patio space is congruent with the ongoing development of a diverse university campus.

In addition, the expanded pub hours may influence students to remain on-campus during the evening hours, rather than driving downtown for "last call", as inferred by the applicant's letter of intent. Achieving consistency with the operating hours of other liquor primary establishments in the City would help to mitigate the public safety concerns associated with this activity.



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Danielle Noble  
Urban Land Use Manager

Approved for inclusion



Shelley Gambacort  
Director of Land Use Management

**ATTACHMENTS**

Subject Property Map

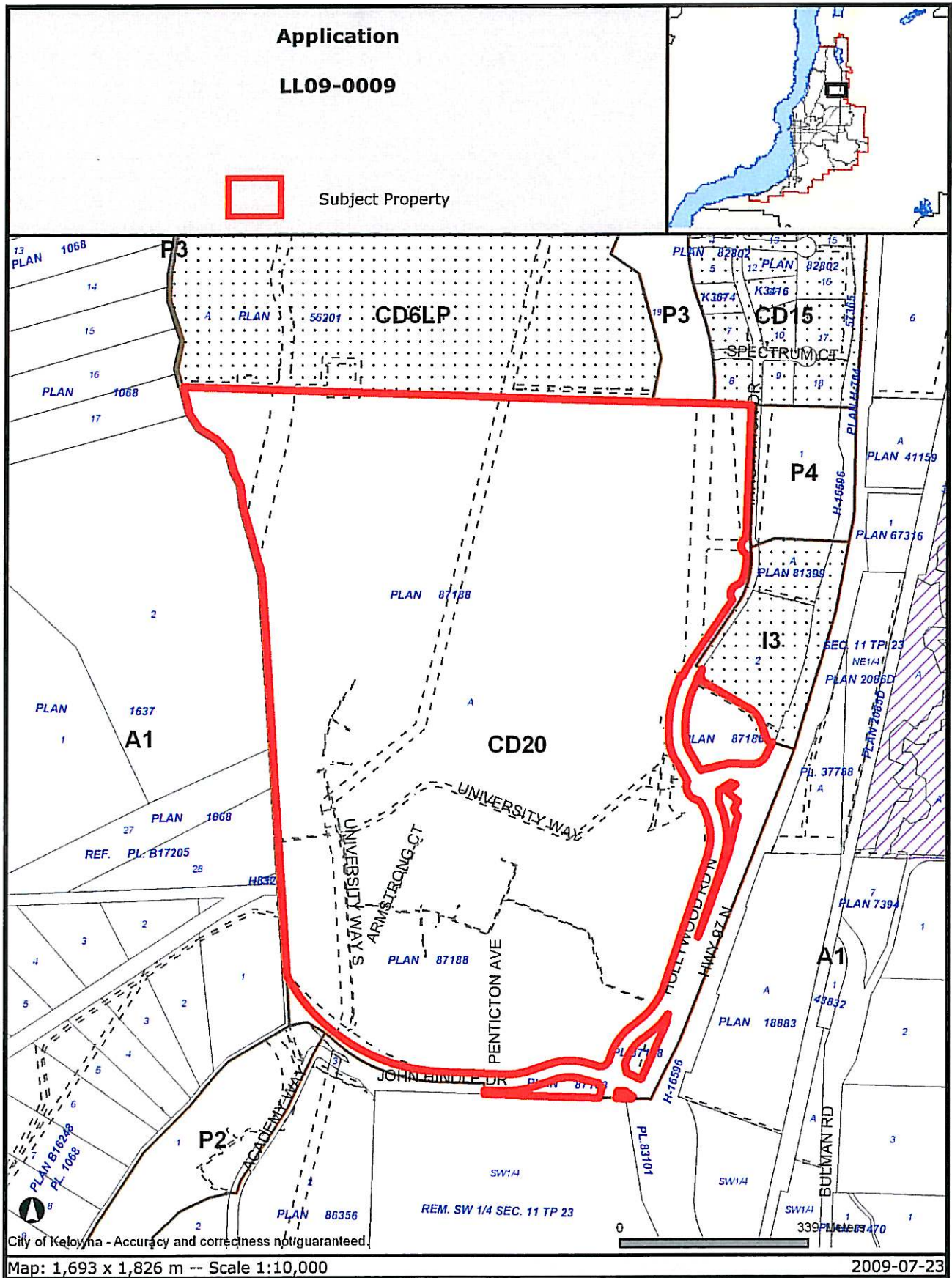
Campus Overview Map

Proof of Valid Interest Letter from Doug Ooram, Deputy Vice Chancellor, UBC Okanagan

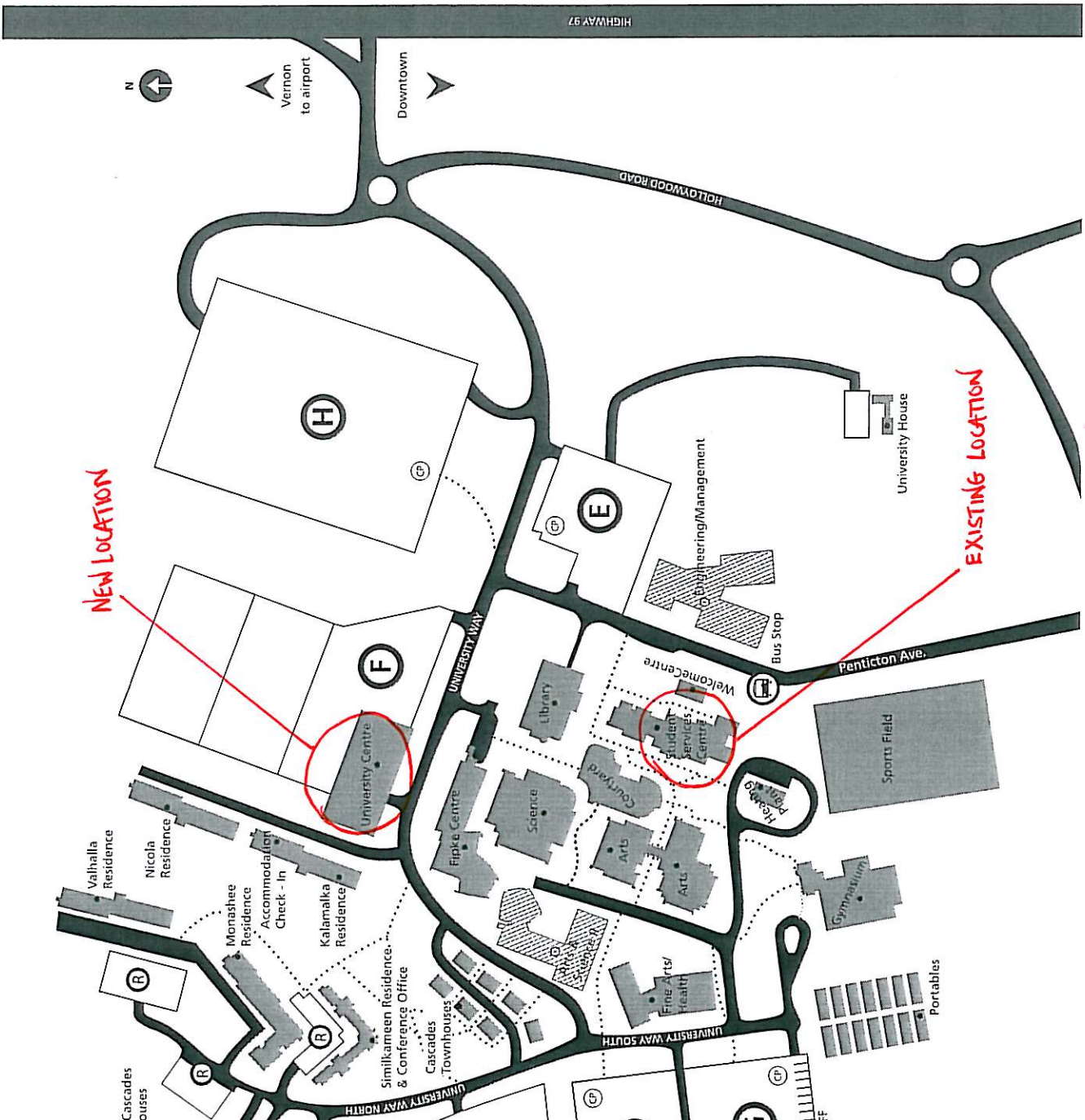
Letter of Intent from Doug Ooram, Deputy Vice Chancellor, UBC Okanagan

Floor Plan





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.



NEW LOCATION

EXISTING LOCATION



OKANAGAN

LEGEND	PARKING
Ⓢ = RESIDENCE PARKING LOTS	C Day / Semester Pass
ⓐ = TICKET DISPENSER	CP Car Pool
Ⓧ = EMERGENCY PHONE	E Day / Semester Pass
ⓐ = CAR POOL PARKING	F Day / Semester Pass
ⓐ = UNDER CONSTRUCTION	G Day / Semester Pass
	H Staff / Day / Semester Pass
	R Residence
	S Staff

THE UNIVERSITY OF BRITISH COLUMBIA



OKANAGAN

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www.ubc.ca/okanagan

July 16, 2009

Luke Turri, Planner  
Land Use Management Department  
City of Kelowna  
1435 Water Street  
Kelowna, B. C. V1Y 1J4

Dear Mr. Turri

Re: UBC Okanagan, Liquor Primary Licence #164438  
Third Party Operator Application – Student Lounge (The Well Pub)

I am writing to provide Proof of Valid Interest with regard to the status of The Well Pub on the UBC Okanagan Campus. Also I have attached a Letter of Intent regarding the larger area that the pub encompasses and the requested increased capacity and extension of hours of operation..

The space the pub currently occupies in the Student Services Building is being renovated for other use and the pub is being relocated to the new University Centre building that has recently been completed. The space in the University Centre is owned by UBC Okanagan and leased by the Student Union of the University of British Columbia Okanagan. UBC owns the license and the Student Union operates the pub as a third party operator.

I trust this is the information you require. Please contact Shannon Dunn, Director of Business Services for the campus if you require other assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Doug O'wram', written over a horizontal line.

Doug O'wram  
Deputy Vice Chancellor

cc S. Dunn, Director, Business Services



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July 16, 2009

Luke Turri, Planner  
Land Use Management Dept.  
City of Kelowna  
1435 Water Street  
Kelowna, B.C. V1Y 1J4

Dear Mr. Turri

Re: Letter of Intent – Location Licence #164438  
Student Lounge, The University of British Columbia, Okanagan Campus

Please accept this Letter of Intent regarding the relocation and increase in capacity and hours for the Student Lounge on the UBC Okanagan campus. The application for transfer has been submitted to the Liquor Control and Licensing Branch in Victoria. This transfer of location is well within the confines of the University campus and there is no change or effect to the target market, traffic, parking or noise in the community.

The pub, currently located in Student Services Centre, is being relocated to the University Centre which allows for an increase in capacity as the new facility is larger and will be able to accommodate more patrons. The adjoining patio is part of the increased space and will provide an outdoor space for those who wish to enjoy the Okanagan scenery and climate. The pub is also used by faculty and staff when on campus.

The extension of the hours to 2 a.m. for the Student Lounge (aka the Well Pub) will allow for students, the majority of which live in residence on campus, to remain on campus to the same 2 a.m. closing time as establishments downtown. This will make it less attractive for students to leave the Lounge and drive downtown.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Doug Owrham'.

Doug Owrham  
Deputy Vice-chancellor

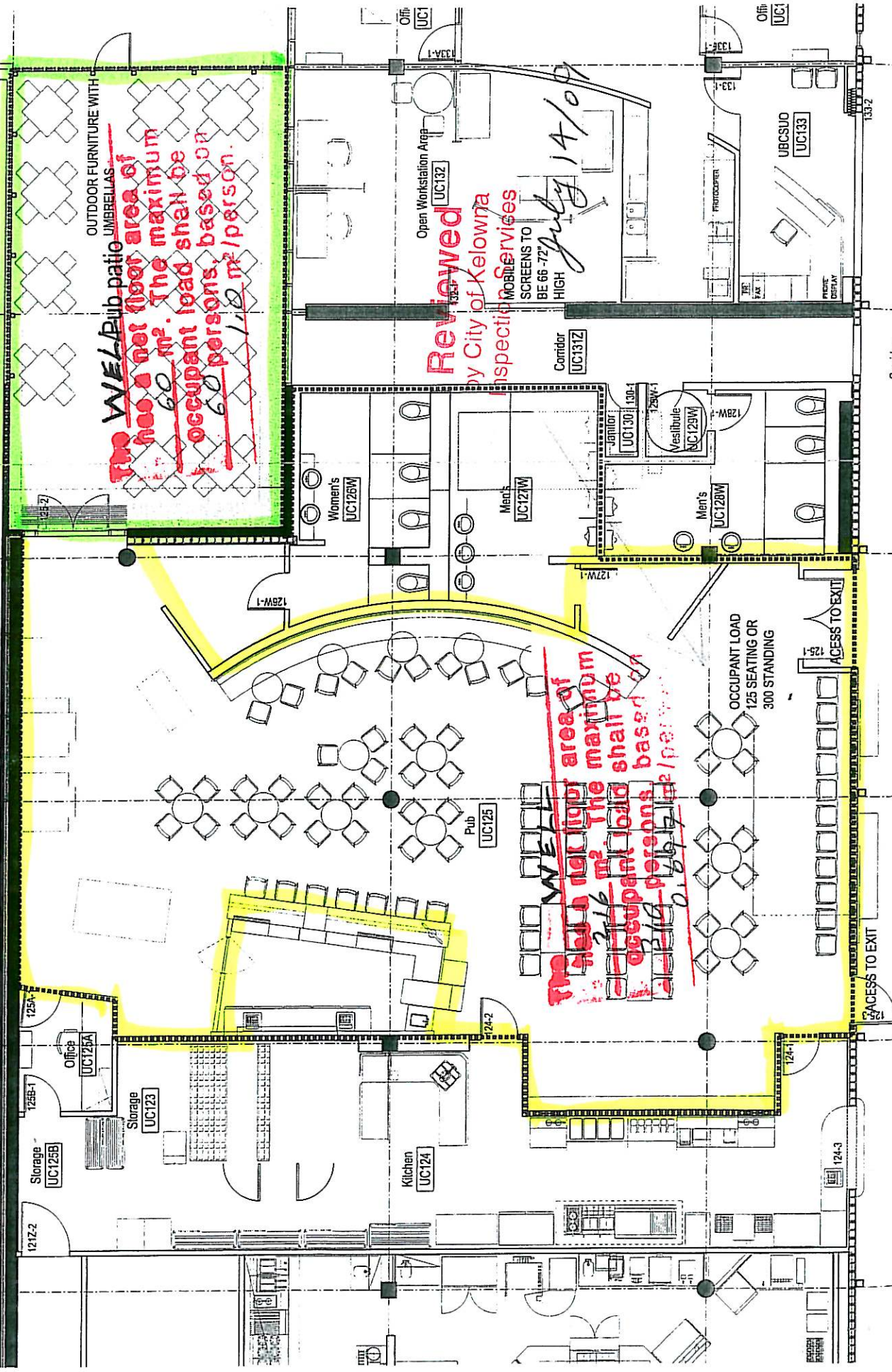
cc – S. Dunn, Director, Business Services UB O



UBC  
 OCCUPANT  
 LOAD.  
 THE  
 WELL

MICHAEL 250-864-3838  
 DWLEHT

M1  
 L1  
 K1  
 J1



OUTDOOR FURNITURE WITH  
 UMBRELLAS  
**The WELL Pub patio  
 has a net floor area of  
 60 m<sup>2</sup>. The maximum  
 occupant load shall be  
 60 persons, based on  
 1.0 m<sup>2</sup>/person.**

**The WELL Pub  
 has a net floor area of  
 216 m<sup>2</sup>. The maximum  
 occupant load shall be  
 216 persons, based on  
 1.0 m<sup>2</sup>/person.**

Reviewed  
 by City of Kelowna  
 Inspection Services  
 SCREENS TO  
 BE 66"-72"  
 HIGH  
 July 14/09

OCCUPANT LOAD  
 125 SEATING OR  
 300 STANDING

ACCESS TO EXIT

ACCESS TO EXIT

Perimeter