

Memo



Date: January 14, 2010
To: City Manager
From: Land Use Management, Community Sustainability
Application: LL10-0017 (LT) **Property Owner:** Wyn & Marion Lewis
Address: 3240 Pooley Road **Applicant/Licensee:** Okanagan Estate Winery
Subject: Winery Special Event Area Endorsement

1.0 Recommendation

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

Council's comments on the LCLB's prescribed considerations for the application from Okanagan Estate Winery at 3240 Pooley Road, Kelowna BC, (legally described as Lot 2, Plan 3379, Section 15, ODYD, Township 26) for a Winery Special Event Area endorsement, are as follows:

a) **The location of the winery special event area:**

The winery is located within a well-established rural/agricultural community which includes other agri-tourism operations. The proposed special event areas surround the property owner's personal residence, within private, secure, landscaped areas.

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

There are no significant social or recreational facilities in the immediate area.

c) **The person capacity of the deck area:**

The person capacity of 200 for the deck area is considered in conjunction with the other outdoor spaces included in the application. The capacity is considered appropriate given the overall size of the facility.

d) **The hours of service of the establishment:**

The proposed hours of service from 9:00am-11:00pm seven days a week is considered appropriate given the types and frequency of events being proposed.

e) **Traffic, noise, parking and zoning:**

The Special Event Area endorsement may enhance the intensity of activity on-site. However, the area already sees tourist traffic from various agri-tourism operations, and any increase in parking and traffic would be incremental. There may be potential for increased noise from the licensed special events. Wineries and cideries are allowed within the A1 - Agriculture 1 zone.

f) **The impact on the community if the application is approved:**

Opportunities to increase the viability and awareness of agri-tourism operations should be seen as a benefit to the tourism industry and the greater community.

g) **View of residents.**

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 Purpose

This application seeks Council's endorsement of the addition of a Winery Special Event Area Endorsement for Okanagan Estate Winery.

3.0 Land Use Management

Agri-tourism operations, including wineries, are considered a key component of Kelowna's tourism industry. In this regard, the proposed Special Event Area Endorsement is seen as a means to further enhance this sector's development.

Weddings, corporate functions and cultural events could help to further promote East Kelowna as an agricultural tourism destination. In addition, the endorsement would eliminate the need for the operators to obtain a Special Occasion License for each and every licensed event. While the endorsement would apply seven days a week (allowing for flexible event scheduling), a high-frequency of event dates is not anticipated. The applicant has provided a letter of intent to discuss the proposed endorsement.

As per the commentary presented in the above resolution, the Land Use Management Department recommends support for the Special Event Area endorsement.

4.0 Summary

4.1 Background

An application for a "Winery Special Event Area" endorsement has been forwarded by the licensee to the Provincial Liquor Control and Licensing Branch (LCLB) for their approval. Procedurally, this type of winery endorsement requires Local Government comment on the application, prior to the LCLB making a final decision.

Okanagan Estate Winery currently operates on the 4.5ha subject property. The property includes a wine shop/tasting room located in an older home adjacent to Pooley Road, as well as a large residence complex in the northern portion of the site.

4.2 Proposal

The applicant has requested to add the Winery Special Event Area endorsement to their existing winery license. If approved, the endorsement would allow the winery to host licensed events such as wedding receptions, corporate functions, concerts and festivals in the designated outdoor areas of the winery. With the endorsement, liquor service and consumption is only permitted in special event areas. The winery may sell and serve their own wine, other BC wines, cider and wine coolers by the glass or bottle. No other alcoholic beverages may be served. A reasonable variety of food items and non-alcoholic beverage must always be available to patrons at

reasonable prices. Minors are permitted in a winery special event area when accompanied by a parent or guardian.

Currently, there are no wineries in the City of Kelowna that have a Special Event Area endorsement, while two wineries in the District of West Kelowna are in the process of obtaining the endorsement. Typically, Special Occasion Licenses (SOL) are utilized at wineries for licensed special events. SOL's permit the sale of all alcoholic beverages, and is not just limited to BC wine products.

The applicant plans to utilize the special event area endorsement for a number of different types of events, including weddings, corporate functions, and concerts. The requested endorsement would eliminate the requirement to obtain a Special Occasion License for each individual event.

The specified special event area is shown in the attached site plan. This includes the fenced lawn surrounding the villa, the grass courtyard of the estate, and a large deck attached to the villa. No interior areas are proposed. The outdoor deck has a person capacity of 200 persons, however the other spaces are not required to have a specified capacity, as they are non-fixed, outdoor spaces. The proposed hours of operation are from 9:00am to 11:00pm, seven days a week.

Proposed Endorsement Summary:

Person Capacity:

Area	Capacity
Inner Courtyard	n/a
Outdoor Deck	200 persons
Outer Grass Area	n/a

Hours of Operation:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Existing	9:00am-11:00pm	9:00am-11:00pm	9:00am-11:00pm	9:00am-11:00pm	9:00am-11:00pm	9:00am-11:00pm	9:00am-11:00pm

4.3 Site Context

The subject property is located in the East Kelowna area, surrounded by properties within the Agricultural Land Reserve, and zoned A1 - Agriculture 1.

Subject Property Map: 3240 Pooley Road



5.0 Circulation Comments

5.1 Fire Department

No concerns.

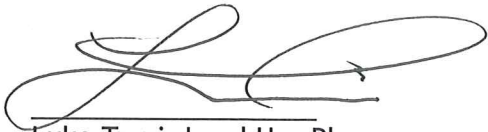
5.2 Public Health Inspector

Approval to operate as winery only. A health permit to operate is additionally required for any future food service. No objections to endorsement, provided application made to health for permits.

5.3 RCMP

No comment.

Report prepared by:



Luke Turri, Land Use Planner

Reviewed by:



Danielle Noble, Manager, Urban Land Use Management

Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

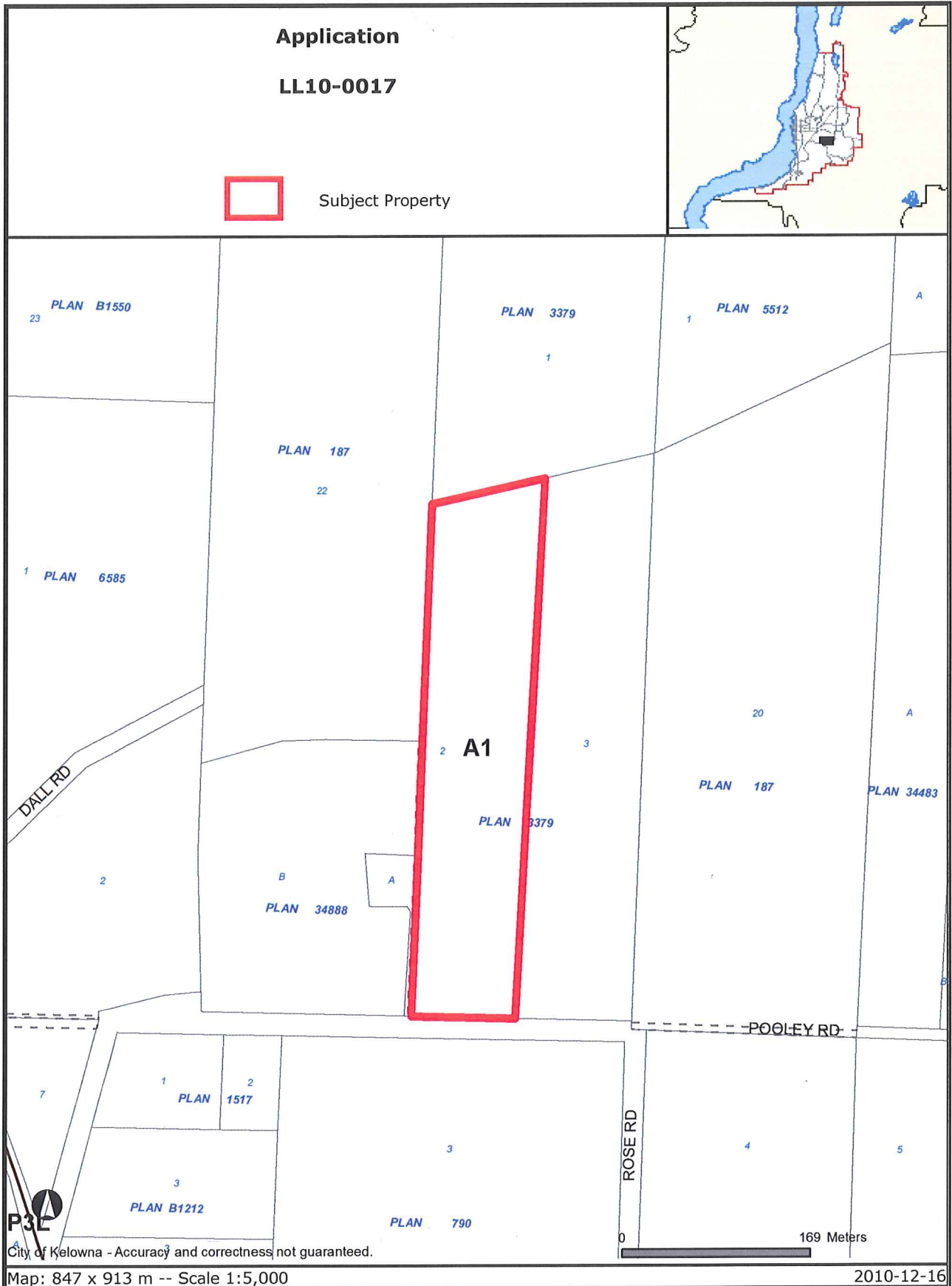
Attachments:

Subject Property Map

Air Photo

Site Plan

Applicant Letter of Intent (2 pages)



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.



LL10-0017
3240 Pooley Road
Winery Special Event Area Endorsement

OKANAGANVILLA ESTATE WINERY

VINEYARDS



LAWN ①

EVENT LOCATION

OUTDOOR LAWN AREA

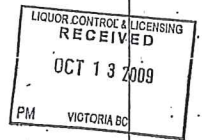
FENCED AREA

PRIVATE HOME

LAWN

ORCHARD

PRIVATE HOME



DECK EVENT LOCATION

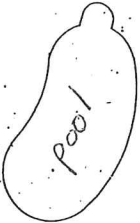
INDOOR LAWN AREA

COURTYARD LAWN

EVENT LOCATION ③

WINERY MANUFACTURE

DECK



Proposed Special Event Endorsement Areas

- ① - Wedding Ceremony location (Lawn)
- ② - Small Dinner location (Deck)
- ③ - Large Dinner/Reception (Courtyard)

VINEYARD

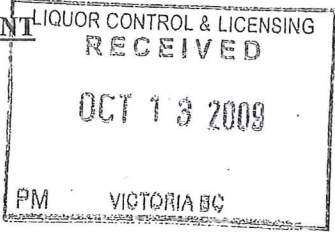
FENCE/LANDSCAPING

DRIVEWAY TO COTTAGE

GATE

WINERY LICENCE SPECIAL EVENT AREA ENDORSEMENT

LETTER OF INTENT



1) Tourism Development Factor

Okanagan Villa Estate Winery will be focused directly on the BC, Canadian and International tourist market. We will work with the Thompson-Okanagan Tourist Authority in promoting the area's wineries as a destination attraction and part of the Okanagan agri-tourism experience.

We expect significant growth in agri-tourism as the "greening" of world economies increases interest in exploring the linkage between life on the farm and the food and drink that we consume. We believe that the tourist from mature economies is increasingly moving from simply consuming products to having a real interest in how the product is made.

Exploring the differences between food products that appear similar in the supermarket but in fact have significant regional differences is becoming part of the vacation experience, and the numerous small wineries in the Okanagan contribute directly to that experience.

2) Benefits to the Community

There are less than ten wineries on the East side of the bridge in the Kelowna area. In contrast, the Napa Valley has 700. There are only two wineries serving the population of East Kelowna.

We believe the addition of Okanagan Villa Estate Winery will benefit both the local population and local businesses (including the two existing wineries) by attracting some of the Kelowna beach tourists to East Kelowna.

We aim to offer a world class venue for weddings, corporate retreats etc that will significantly enhance the appeal of East Kelowna locally and internationally.

3) Social Facilities and Public Buildings

East Kelowna is a rural community largely within the ALR. The "town center" of East Kelowna is at the intersection of East Kelowna Rd and McCulloch Rd (about one mile from the Okanagan Villa) and consists of a garage, convenience store, church, pub and community hall. A community ballpark is also at the intersection. The convenience store and pub largely serve commuter traffic between Kelowna and Gallagher's Canyon homes and we expect a significant part of our business to come from these same commuters.

4) Traffic in the Vicinity

The Okanagan Villa Estate Winery is located on Pooley Rd along with approx 10 other 10 acre farms. Pooley Rd (which is only approx one mile in length) connects Rose Rd and McCulloch Rd, both of which are main traffic roads into the upscale golf community of Gallagher's Canyon. We expect some of the commute traffic to enter Pooley Rd from both Rose and McCulloch at commute times. We also expect the current tourist traffic going to KLO Orchards and Camelot Winery to grow and include Okanagan Villa Estate Winery as part of their trip.

5) Noise in the Vicinity

All homes in the vicinity are on 10 or 20 acre lots in a rural environment. Special Events will take place

at two main sites- in the garden of the cottage (the cottage shop) and the lawns of the main Villa building.

Music played at the Special Events will cease at midnight and any guests will leave by 1 am. These events will be few in number (less than 10 per year), will be marketed to very upscale clients, with emphasis on the elegance of the Villa environment (Formal English Country Gardens, Italian Fountain Courtyard etc) and will be quiet and refined in nature. The Villa is the home of the Proprietors of the Okanagan Villa Estate Winery and allowing guests into the Villa is not something they take lightly. Since they will be present during the Special Events, noise will be tightly controlled.

6) Parking.

There is adequate on site parking for visitors at the Okanagan Villa Estate Winery (room for about 20 cars in the parking lot), and Pooley Rd has ample room for any excess. (There is a 10 ft wide shoulder available on both sides of the road next to the apple orchards for most of the length of Pooley Rd. The parking lot is next to the Winery Shop and approx 100 ft in to the property from Pooley Rd. Access to the Villa is via a tree lined private road and is by Golf Cart. No public vehicles are allowed beyond the parking lot up to the Villa as the private road is gate controlled after the Winery Shop Parking Lot.

7) Commercial/Residential/Light or Heavy Industrial Neighbourhoods.

The property is in the center of ALR lands. There is no Industrial activity within five miles.

8) Natural or Manmade Barriers

The property is on the flat land of the upper East Kelowna Bench. The Villa is in the center of 10 acres of vineyards which front on to Pooley Rd. and backs on to a gently sloping vineyard which ends at a steep 50 ft slope down to the lower East Kelowna Bench. There are no other establishments within a reasonable distance.

9) Other Factors

The special Event Area Endorsement is being requested for a small number of high end events that will elevate the public's perception of East Kelowna as a tourist destination. We anticipate hosting a handful of weddings that will attract National and International attention. Our primary marketing thrust for these events will be in Vancouver, Calgary and Toronto and in Europe (now that non stop flights from Europe are imminent).

