

REPORT TO COUNCIL



Date: July 13th, 2012
To: City Manager
From: Land Use Management, Community Sustainability (AW)
Application: LL12-0007
Address: 2125 Enterprise way
Applicant/Licensee: Chop Steakhouse & Bar
Subject: New Liquor Primary License

1.0 Recommendation

THAT Council directs staff to forward the following recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 53 of the *Liquor Control and Licensing Regulation* and Council Policy #359, be it resolved that:

Council's comments on the Liquor Control & Licensing Branch (LCLB)'s prescribed considerations for the application from Chop Steakhouse & Bar at 2125 Enterprise way, Kelowna BC, (legally described as Lot A District Lot 127 Osoyoos Division Yale District Plan KAP83862) for a new Liquor Primary License, are as follows:

- a) **The potential for noise if the application is approved:**
No increase in noise is expected compared to current circumstances.
- b) **The impact on the community if the application is approved:**
The potential for negative impacts is considered to be minimal.
- c) **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 #359 "Liquor Licensing Policy & Procedures."
- d) **The person capacity and hours of liquor service of the establishment:**
The total person capacity proposed will remain unchanged with a total of 197 seats with a mix of food and liquor primary seats, 103 of these seats are proposed to be for liquor primary seating with closing hours of 1:00am daily. This is deemed appropriate due to the establishments urban centre location.
- e) **Traffic and parking:**
The total capacity will not be changing and the site has good access and adequate parking provisions.

- f) **The proximity of the establishment to other social or recreational facilities and public buildings:**
Surrounding facilities would not conflict with the proposed establishment.
- g) **Recommendation:**
Council recommends that the application for a new liquor primary license for Chop Steakhouse & Bar located at 2125 Enterprise Way be approved.

2.0 Purpose

This application seeks Council’s support for a new liquor primary license for Chop Steakhouse & Bar.

3.0 Land Use Management

This application represents a request for a new Liquor Primary License. Chop Steakhouse & Bar has been operating out of this location for a few years under a food primary license. The applicant is proposing to put a liquor primary lounge area within the current food primary area.

Although there will be a change to the business focus, it is anticipated that the clientele and management should be relatively unchanged through the new liquor primary license. The License will accommodate 103 persons and there are no other medium sized liquor primary establishments within 100m. Based on the above, the Land Use Management Department recommends that the application be supported.

4.0 Summary

An application has been forwarded by the licensee to the Provincial Liquor Control and Licensing Branch (LCLB) for their approval. Procedurally, the relocation of Liquor Licenses requires Local Government comment, prior to the LCLB making a final decision.

The applicant requests a new liquor primary license for the lounge area which will be in the middle of the food primary licensed area. The total interior capacity will be 103 persons with a 1:00am closure every night. There are eight other liquor primary establishments within a 2km radius of the subject property.

Proposed Structural Change Summary:

Person Capacity:

Existing Food Primary	Capacity
Existing Indoor Capacity	157
Existing Outdoor Patio	40
Total Existing Capacity	197
Proposed Liquor & Food Primary Areas	
Proposed Indoor Capacity for liquor primary	103
Proposed Outdoor Patio for liquor primary	N/A
Total Proposed Capacity for liquor primary	103
Total Proposed Capacity (Remains Unchanged)	197

4.1 Site Context

The subject property is located in the Midtown Urban Centre and is surrounded by a mix of commercial uses. There are other licensed establishments in the immediate area.

Subject Property Map: 2125 Enterprise way



5.0 Existing Policies

5.1 Council Policy #359 - Liquor Licensing Policy & Procedures

The proposed change does not contravene Policy #359.

6.0 Circulation Comments

No concerns were raised through file circulation.

Report prepared by:



Alec Warrender, Land Use Planner

Approved for Inclusion:

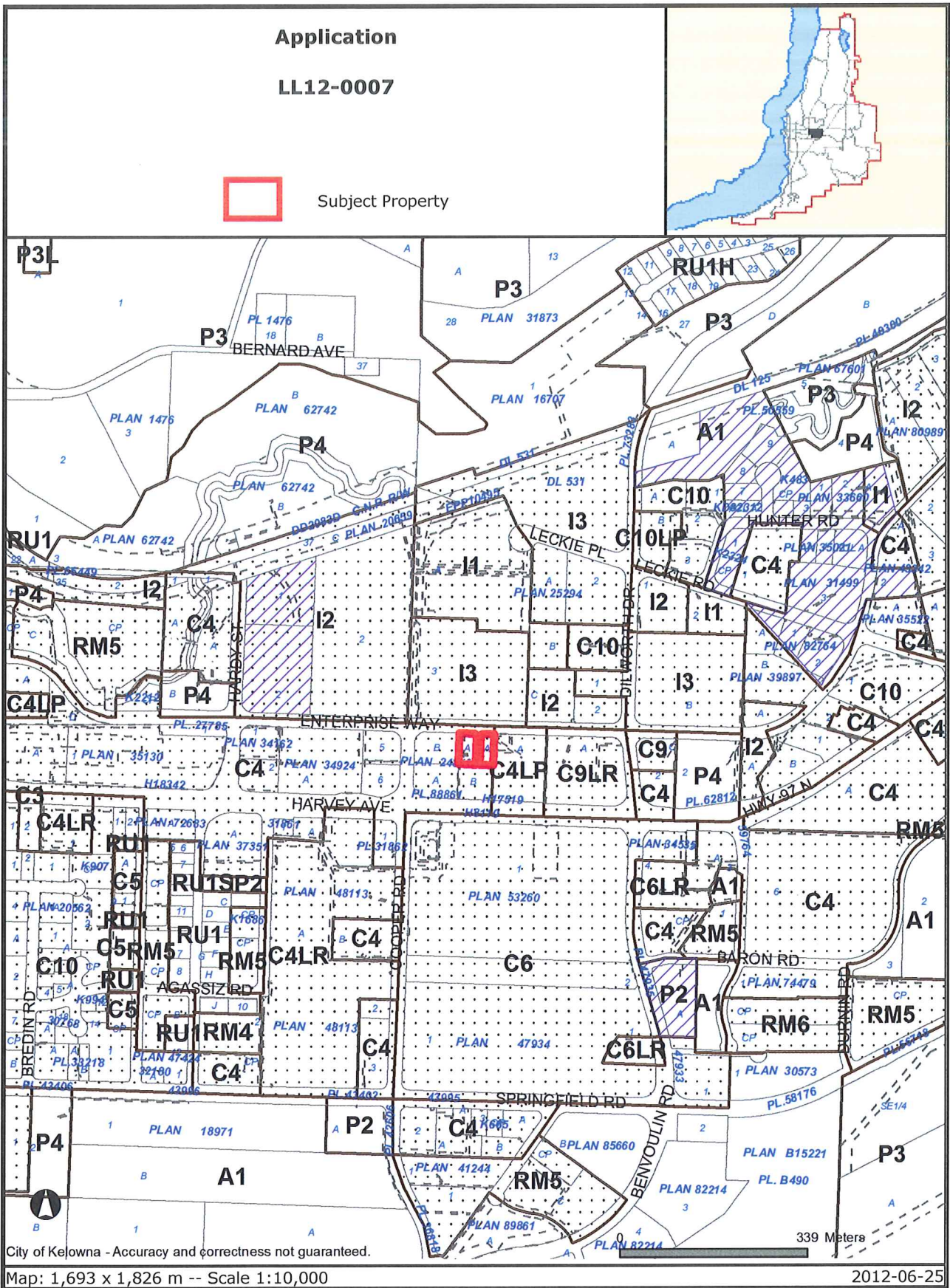


Shelley Gambacort, Director, Land Use Management

Attachments:

Subject Property Map

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.

