

REPORT TO COUNCIL



Date: June 19, 2012
To: City Manager
From: Land Use Management, Community Sustainability (AW)
Application: LL11-0010 **Owner:** City of Kelowna
Address: 645 Dodd Road **Applicant:** City of Kelowna
Subject: Liquor Primary License application - Supplemental to Rezoning application

1.0 Recommendation

THAT Zone Amending Bylaw No. 10727 be forwarded for adoption consideration;

AND THAT 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 at 645 Dodd Road, Kelowna BC, (legally described as Lot 1 Section 26 Township 26 Osoyoos Division Yale District Plan KAP91112) 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.**
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) **Recommendation:**
Council recommends that the application for a new liquor primary license be approved.

2.0 Purpose

This application seeks Council's support for a new 'Liquor Primary' license for the Rutland Arena as the License will be in excess of 100 persons on the property.

3.0 Background

Please see attached Schedule 'A'.

4.0 Circulation Comments

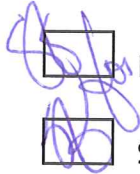
No concerns were raised through file circulation.

Report prepared by:



Alec Warrender, Land Use Planner

Reviewed by:



Danielle Noble, Manager of Urban Land Use

Approved for Inclusion:

Shelley Gambacort, Director of Land Use Management

Attachments:
Schedule 'A'



SCHEDULE 'A'



Date: June 15, 2012
To: City Manager
From: Land Use Management, Community Sustainability (AW)
Application: Z12-0050 **Owner:** City of Kelowna
Address: 645 Dodd Road **Applicant:** City of Kelowna
Subject: Rezoning Application
Existing OCP Designation: Educational / Major Institutional
Existing Zone: P5 - Municipal District Park
Proposed Zone: P5 - Municipal District Park (Liquor Primary)

1.0 Recommendation

THAT Rezoning Application No. Z12-0050 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 1 Section 26 Township 26 ODYD Plan KAP91112, located at 645 Dodd Road, Kelowna, BC, from the P5 - Municipal District Park to the P5 - Municipal District Park (Liquor Primary) zone be considered by Council;

AND THAT the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

2.0 Purpose

This application seeks Council's support for a new liquor primary license for Rutland Arena. As the License will be in excess of 100 persons the property must be rezoned concurrently to the 'Liquor Primary' designation.

3.0 Land Use Management

This application is for a new Liquor Primary license for the Rutland Arena. The purpose of the application is to provide spectators the opportunity to consume an alcoholic beverage in the grandstands while watching Junior "B", Okanagan College or adult hockey game (tournaments only). The proposed establishment is in an area where there are currently no other licensed establishments. The proposed liquor service will cater to the local community and support the local Junior "B" hockey team. Liquor service will also be available to adult hockey tournaments, it is anticipated that this will help curb unauthorized drinking in dressing rooms and parking lots.

The proposal is not entirely consistent with Council Policy #359 as it proposes a liquor primary licence in excess of 100 persons and the subject property is not located in an Urban Centre. However, this policy was targeted at private liquor primary establishments and was intended to centralize larger establishments that are open late throughout the week within the City's Urban

Centres. While the proposal does contemplate a 450 person capacity license, all alcohol will be served inside the building and alcohol service will be terminated 20 minutes before the end of each Junior "B" game (9:45 end). Alcohol sales will be restricted to beer, wine and coolers. Based on the above, the Land Use Management Department recommends that the application be supported.

4.0 Summary

The purpose of the application is to provide spectators the opportunity to consume an alcoholic beverage in the grandstands while watching Junior "B", Okanagan College or adult hockey game (tournaments only). It is the applicant's intent to have the license in operation only during home games or adult tournaments. House of operation will be sporadic. The license will be operated under a 3rd party agreement by the City of Kelowna's Chiefs Hockey Club. During Junior "B" and college hockey games, a section of the grandstand will be the only licensed area in operation. During adult tournaments, the intent is to use a section of the lobby as a licensed area.

Proposed Structural Change Summary:

Person Capacity:

Licensed Area	Capacity
Existing Indoor Capacity	0
Existing Outdoor Patio	0
Total Existing Licensed Capacity	0
Proposed Indoor Capacity	450
Proposed Outdoor Patio	0
Total Proposed Licensed Capacity	450

4.2 Site Context

The subject property is surrounded by a mix of institutional and residential uses. There are no other licensed establishments in the immediate area. The proposed liquor primary location is in a moderately populated residential area. See attached map for existing community services and liquor primary locations.

Subject Property Map: 645 Dodd Road



5.0 Existing Policies

5.1 Council Policy #359 - Liquor Licensing Policy & Procedures

The proposal compares to Council Policy #359 as follows:

B. 1. b) Large establishments (with person capacity greater than 249 persons):

- i. Should only be located within an Urban Centre.
 - a. *The subject property is not located within an Urban Centre.*
- ii. Should be located a minimum of 250m from another Large establishment.
 - a. *Satisfied.*
- iii. Should be located a minimum of 100m from a Medium establishment.
 - a. *Satisfied*
- iv. Should not be located beside a Small establishment.
 - a. *Satisfied*

6.0 Circulation Comments

No concerns were raised through file circulation.

Report prepared by:



Alec Warrender, Land Use Planner

Reviewed by:



Danielle Noble, Manager of Urban Land Use

Approved for Inclusion:



Shelley Gambacort, Director of Land Use Management

Attachments:

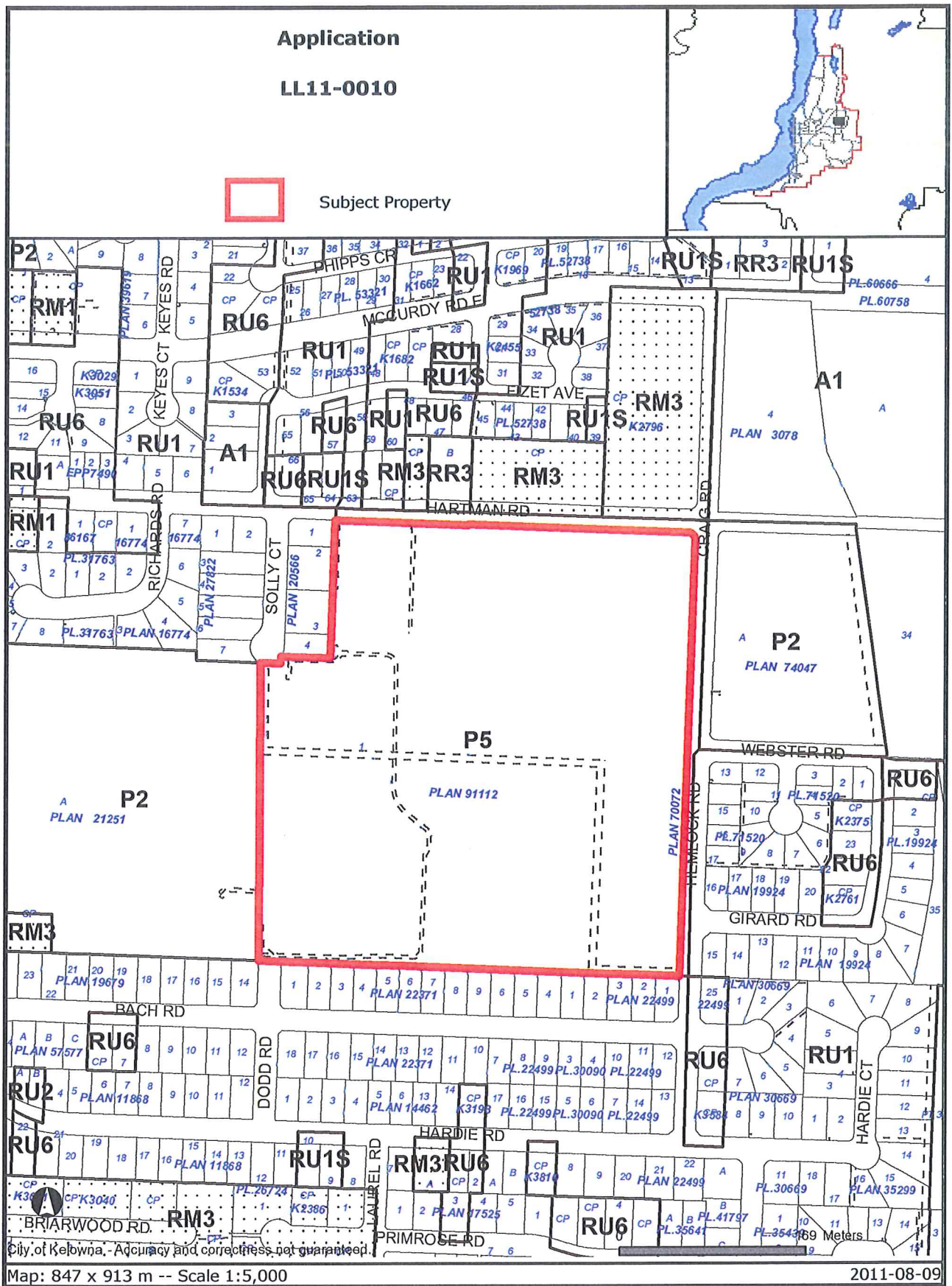
Subject Property Map

Neighbourhood Map

Site Map

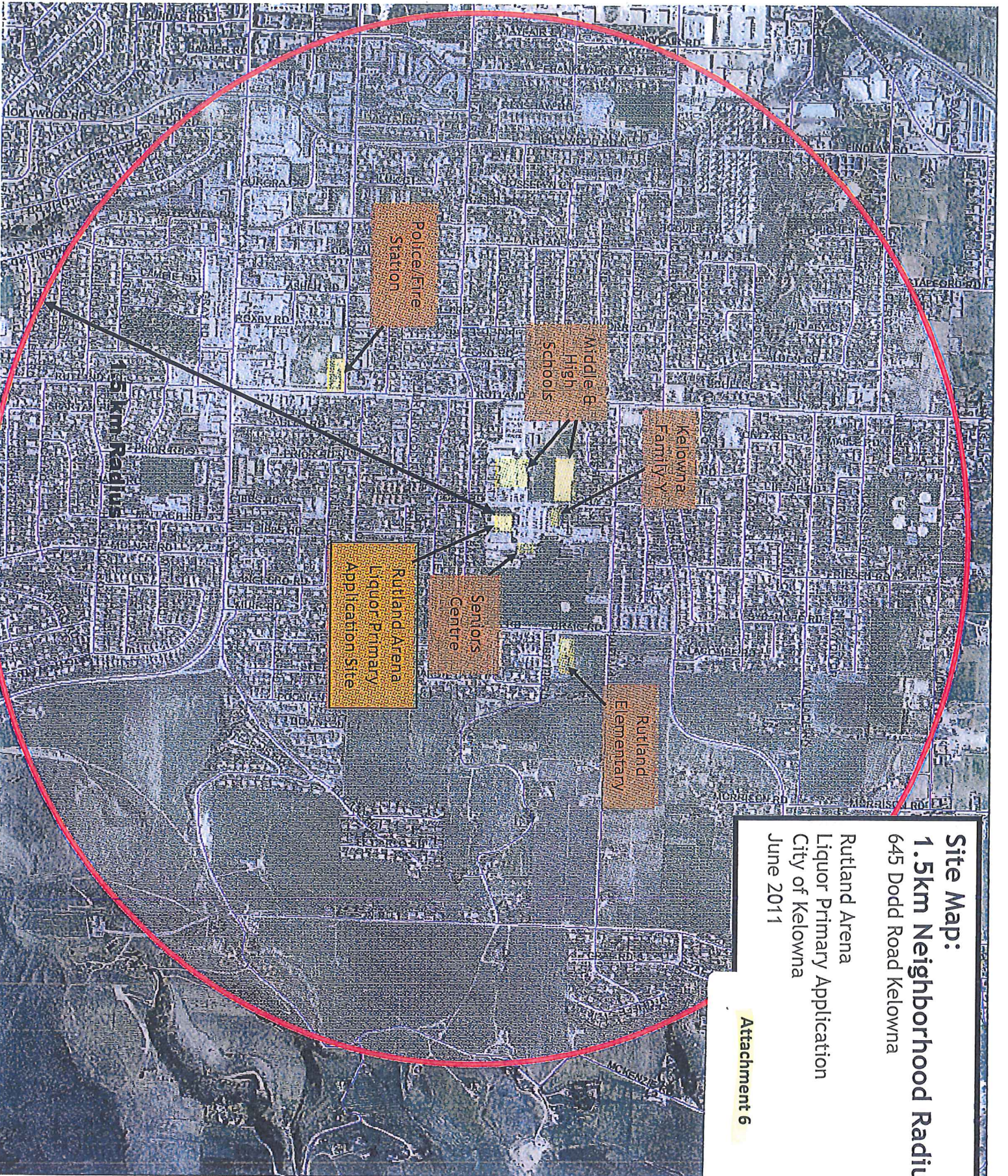
Floor Plan

Photographs



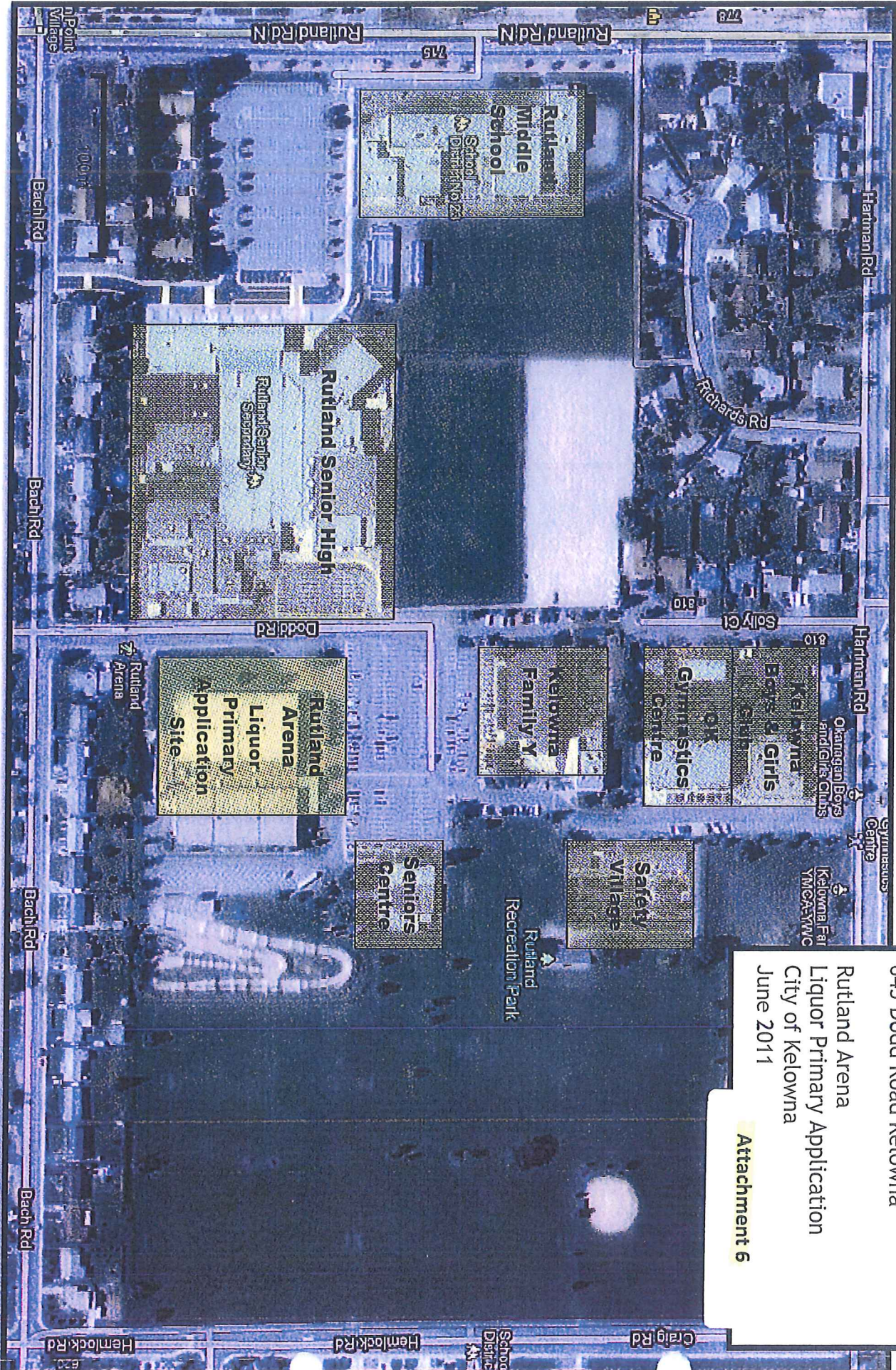
City of Kelowna - Accuracy and correctness not guaranteed.

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.



Site Map:
1.5km Neighborhood Radius
645 Dodd Road Kelowna
Rutland Arena
Liquor Primary Application
City of Kelowna
June 2011

Attachment 6



Site Map:
Rutland Recreation Park
645 Dodd Road Kelowna
Rutland Arena
Liquor Primary Application
City of Kelowna
June 2011

Attachment 6

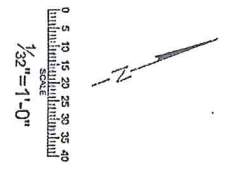
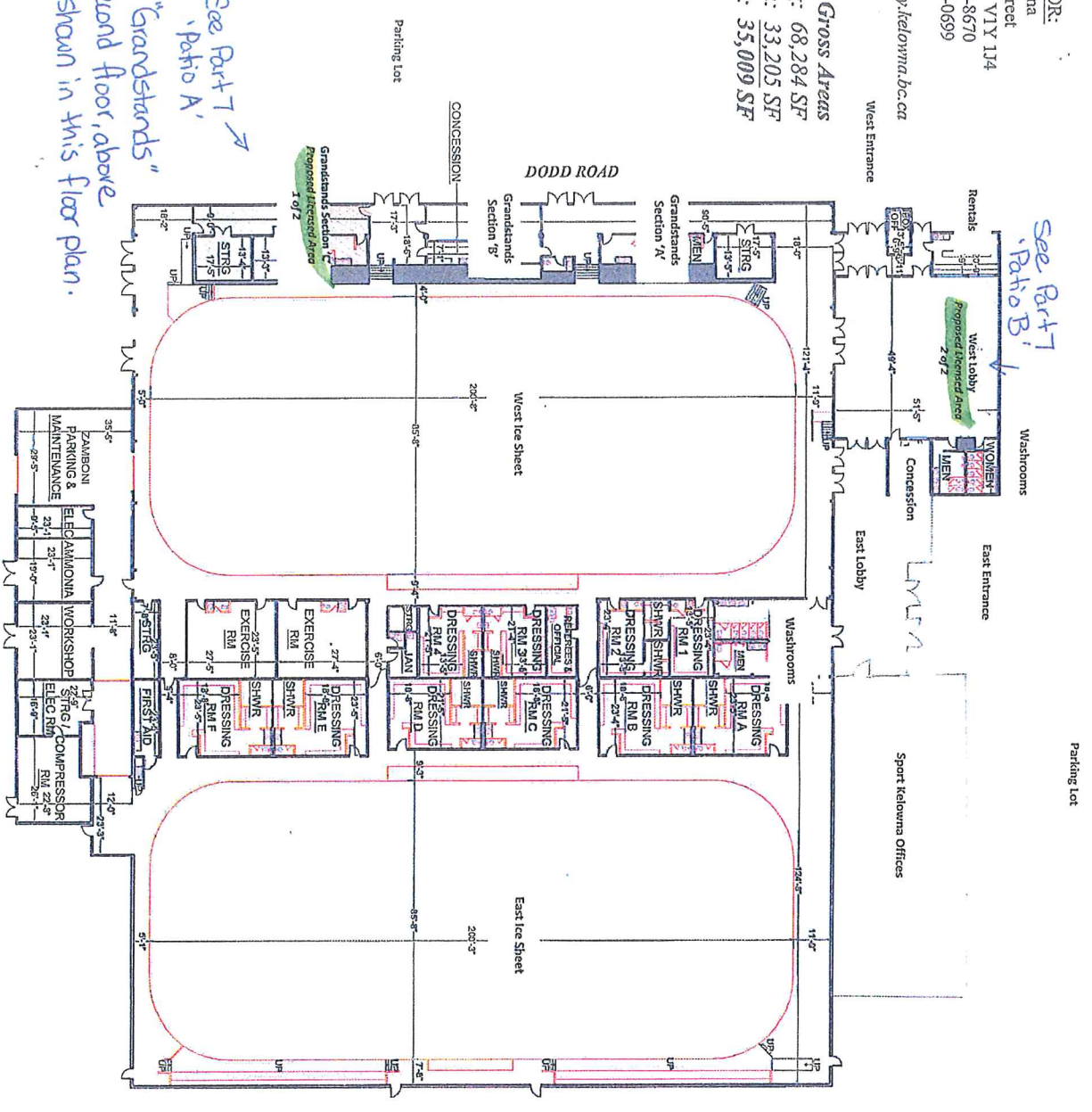
PREPARED FOR:
 City of Kelowna
 1435 Water Street
 Kelowna, BC V1Y 1J4
 Tel (250) 469-8670
 Fax (250) 470-0699

<http://www.city.kelowna.bc.ca>

Gross Areas
 Building: 68,284 SF
 Less Ice area: 33,205 SF
 Measured: 35,009 SF

Note: "Grandstands" are second floor, above rooms shown in this floor plan.

See Part 7, 'Part A',
 See Part 7, 'Part B'

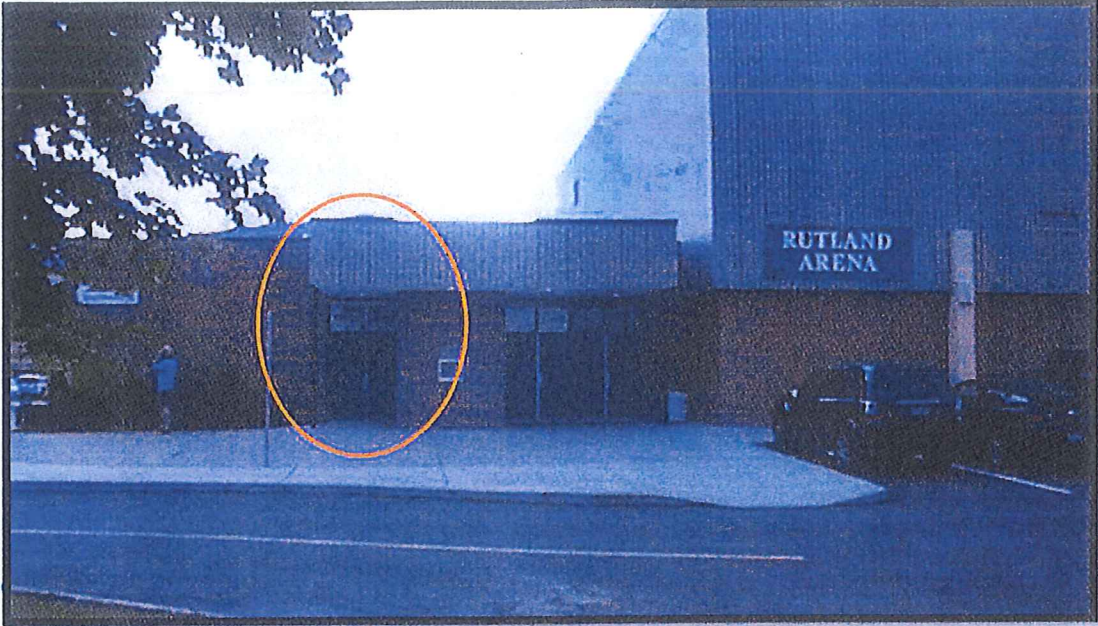


RUTLAND ARENA
 655 DODD ROAD
 KELOWNA, BC

FIRST FLOOR
 (As Measured: January 2005)

Attachment 5
 1 of 2

Survey Accuracy: +/- 0.12%

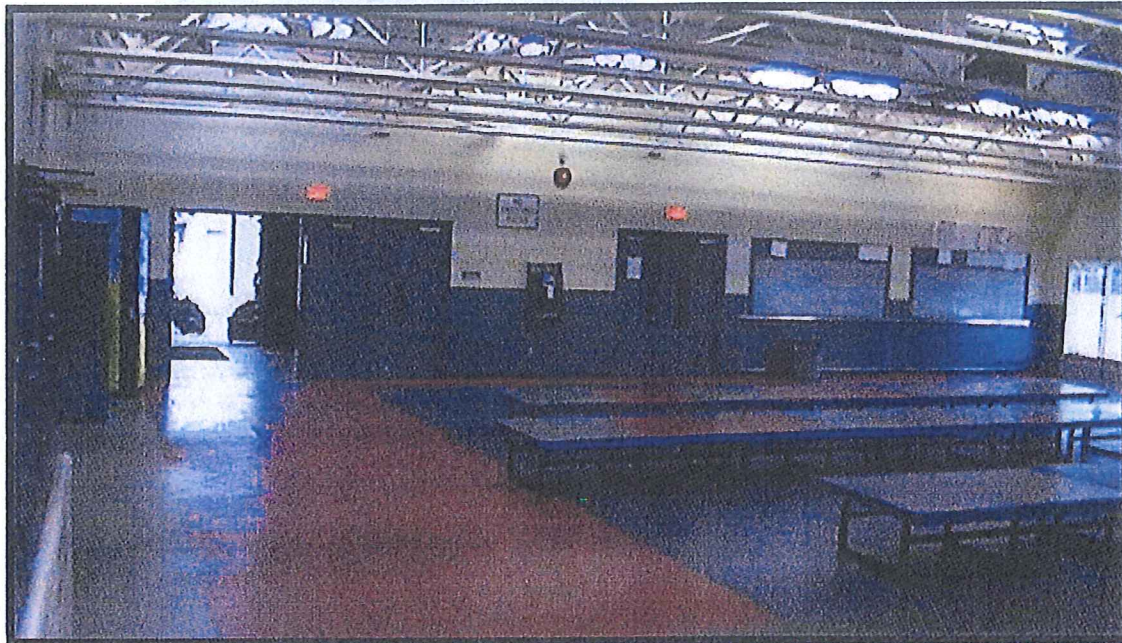


1. Dodd Road/West Entrance of Rutland Arena
Image shows Kelowna Chiefs Ticket Centre. No permanent signage regarding liquor sales are proposed for the facility exterior.



2. West Ice Sheet Grandstands
Image shows Section "C" of the Grandstands (circled in orange), proposed as "Patio A". Patrons enter the Grandstands from the right.

Primary Liquor Application - City of Kelowna
Rutland Arena, 645 Dodd Road



3. West Lobby of the Rutland Arena; area proposed as "Patio B" for Adult Tournaments.



4. East entrance, Rutland Arena.