

**To:** Mayor and Council  
**From:** Paul Gipps, CAO

**Meeting Date:** January 14, 2025  
**Meeting Type:** Regular Council Meeting

**Prepared by:** Jason Tran, Planner  
**Department:** Planning and Development

**Title:** Liquor Licence Referral Application | R0000379 | 3950 Irvine Road  
**Description:** An application for a lounge area endorsement to a manufacturer's licence for Folktale Cider

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### RECOMMENDATION

THAT the following recommendation be forwarded to the Liquor and Cannabis Regulation Branch (LCRB) regarding Liquor Licence Referral Application R0000379 for property located at 3950 Irvine Road:

1. Council has considered the following:
  - The location of the establishment (3950 Irvine Road) and impacts on the surrounding neighbourhood.
  - The person capacity (30) and hours of liquor service (9:00 am to 10:00 pm).
2. Council's comments on the prescribed criteria are as follows:
  - Noise is not expected to be an issue as the proposed location is in an agricultural area which borders commercial development with few rural residential properties nearby.
  - If the application is approved, the impact on the community is expected to be positive as it will support the growth in agri-tourism and offer a new social venue in the community.
3. Council's comment on the views of residents are as follows:
  - The views of residents were solicited by letters to the surrounding property owners and tenants within a 100-metre buffer area, signage on the subject property, and advertisement in the local newspaper for two consecutive weeks on January 2<sup>nd</sup> and January 9<sup>th</sup>, 2025. Residents will have an opportunity to provide comments at the regular Council meeting of January 14<sup>th</sup>, 2025. Council will receive public feedback received by the District during the consultation process. At the Council meeting on January 14<sup>th</sup>, staff will provide Council with a summary of feedback received.
4. Council recommends the issuance of the licence with an endorsement for an interior lounge area for the following reasons:
  - Council believes the proposal will contribute positively to the community. The cidery would provide a unique social venue in the District and would support a new local business in the agri-tourism sector. The 10 pm closing time proposed by the applicant is not expected to be an issue due to limited occupancy of the venue and the rural nature of the property.

### EXECUTIVE SUMMARY

The application is for a lounge area endorsement to a manufacturer's licence for a cidery. The endorsement area would include the entire main floor of the existing barn building. The maximum occupancy load of the building is 30 people (including patrons and staff). The proposed hours of operation are 9 AM to 10 PM, with liquor service ending at 9:30 PM, seven days a week. The applicant has indicated that hours will vary during shoulder seasons.

The cidery is proposed in an area characterized by agricultural uses to the west and tourism to the east. The expected noise impact on the surrounding community is minimal, and the overall impact of the application, if approved, is likely to be positive. The LCRB requests that the District provide comments, in the form of a resolution, regarding this application.

Staff supports the proposed application.

## BACKGROUND

The application is for a lounge area endorsement to a manufacturer's licence for a cidery. The LCRB refers the application to the local municipality for input based on the following criteria:

1. the location of the establishment;
2. the person capacity and hours of liquor service of the establishment;
3. the impact of noise in the immediate vicinity; and,
4. the impact on the community if the application is approved.

Additionally, the LCRB requests that the local government collect feedback from nearby residents and business owners regarding this application.

Previously, the LCRB granted a manufacturing licence to the applicant with endorsements for on-site sales and outdoor consumption (picnic area) of alcohol. The picnic area endorsement allows up to 60 people. Provincial regulations do not require the LCRB to refer applications for on-site manufacture, sales, or outdoor consumption (picnic area) to local governments for Council consideration.

Application Type	Liquor Licence Application		
File Number:	R0000379		
Roll Number:	01798.001		
Proponent:	Folktale Cider (Blain Weber)	Owners:	Adam Green & Vanessa Trevors
Legal Description:	SECTION 11 OSOYOOS DIV OF YALE LAND DISTRICT PLAN KAP611B TOWNSHIP 14 PART SW 1/4 EXCEPTPLAN 390		
PID	009-378-448		
Civic Address:	3950 IRVINE RD		
OCP Designation:	Agricultural		
Zoning Designation:	A1 – Agriculture 1		
Land Use Contract	N/A		
ALR:	Yes		
Parcel Size:	2.47 ha (6.124 acres)		
Water Supply:	Municipal		
Sewer:	On-site		
Site Summary:		Zoning:	Use:
	<i>North:</i>	A1	Agriculture
	<i>East:</i>	A1TA/C2	Agriculture (Agri-Tourism Accommodation) and Neighbourhood Commercial
	<i>South:</i>	A1	Agriculture
	<i>West:</i>	A1	Agriculture

## DISCUSSION/ANALYSIS

### 1. The location of the establishment

The property is within the Agricultural Land Reserve (ALR), located at Irvine Road and Old Mission Road. It includes two residential sites, several farm buildings, and an existing orchard, as shown in Attachment A (location map). The property has a family-friendly picnic area and on-site parking shown in Attachment B. The property slopes from west to east with views of Kalamalka and Wood Lakes.

The neighborhood primarily consists of agricultural properties with rural residential dwellings to the north, south, and west. The closest residential property is about 35m to the west, and another residential property is located 72m east of the main cidery building.

Commercial-zoned property (Gatzke's Farm Market and Pane Vino Pizzeria) is located along the Pelmewash Parkway, approximately 50m east of the subject property. Across the Pelmewash Parkway, a new EV charging station has recently been established. Wood and Kalamalka Lakes are near the cidery. Local parks and attractions, including the Rail Trail attract a significant number of tourists to the area, especially during the summer.

A new cidery would provide a unique venue serving local residents and tourists. Additionally, the cidery would support surrounding small commercial businesses and diversify the agri-tourism sector.

## 2. The person capacity and hours of liquor service of the establishment

The application requests a lounge area endorsement for the main floor of the existing building and patio (Attachment C). The maximum capacity is 30 people (including patrons and staff), with proposed hours of operation from 9 AM to 10 PM, and liquor service ending at 9:30 PM, seven days a week. The applicant notes that during shoulder seasons, the hours of operation will vary.

The proposed hours of operation are similar to other establishments locally; however, the occupancy load is lower than local businesses. For comparison:

- Peak Cellars:
  - Hours: 12 PM to 9 PM, Monday to Sunday.
  - Occupancy: 150.
- Lake Country Brewing:
  - Hours: 3 PM to 9 PM Wednesday to Friday, 2 PM to 8 PM Saturday, 2 PM to 8 PM Sunday.
  - Occupancy: 105.
- Britannia Brewing:
  - Hours: 10:30 AM TO 9 PM Monday – Thursday, 10:30 to 10 PM Friday, 9 AM to 10 PM Saturday, 9 AM to 9 PM Sunday.
  - Occupancy: 97 indoors, 90 outdoors.

## 3. The impact of noise in the immediate vicinity

The proposed cidery is situated in an area supporting agricultural uses, with commercial and tourism uses to the east. The occupant load of the cidery is low compared to the above-noted venues. The impact of noise in the immediate vicinity is expected to be minimal.

## 4. The impact on the community if the application is approved

If approved, the lounge area endorsement is likely to have a positive impact on the community (Attachment D). The cidery would support agi-tourism in Lake Country and provide an additional social venue for local residents and other community members. The leased area has ample space to accommodate on-site parking for cidery staff and patrons.

## Other Considerations

The applicant will offer curated small bites, such as locally made dips and charcuterie boards, to complement their cider. This complies with LCRB requirements to provide food and non-alcoholic beverages at reasonable prices or free of charge to patrons in the service area under the lounge endorsement.

## Agricultural Land Commission

The applicant must confirm that the licensed establishment will adhere to the requirements laid out in the Agricultural Land Reserve (ALR) Use Regulation.

## Zoning Bylaw

The cidery and proposed ancillary uses comply with the regulations of the A1 - Agriculture 1 zone.

Staff support the proposal.

### **COMMUNICATION**

This application was referred to internal and external departments, including Bylaw and the RCMP. Neither the Bylaw nor RCMP staff noted concerns about the proposal.

A development notice sign has been installed on the property, and letters have been sent to neighboring property owners and tenants within 100m of the property. A newspaper ad was published in the January 2nd and 9th, 2025 editions of the Lake Country Calendar newspaper.

Any public correspondence will be provided to Council and staff will prepare a summary during the presentation of the application.

### **ALTERNATE RECOMMENDATIONS**

- A. THAT the following recommendation be forwarded to the Liquor and Cannabis Regulation Branch (LCRB) regarding Liquor Licence Referral Application R0000379 for property located at 3950 Irvine Road:
1. Council has considered the following:
    - The location of the establishment (3950 Irvine Road) and impacts on the surrounding neighbourhood.
    - The person capacity (30) and hours of liquor service (9:00 am to 10:00 pm).
  2. Council's comments on the prescribed criteria are as follows:
    - Noise is not expected to be an issue as the proposed location is in an agricultural area which borders commercial development with few rural residential properties nearby.
    - If the application is approved, the impact on the community is expected to be positive as it will support the growth in agri-tourism and offer a new social venue for residents.
  3. Council's comment on the views of residents are as follows:
    - The views of residents were solicited by letters to the surrounding property owners and tenants within a 100-metre buffer area, signage on the subject property, and advertisement in the local newspaper for two consecutive weeks on January 2<sup>nd</sup> and January 9<sup>th</sup>, 2025. Residents will be given an opportunity to provide comments at the regular Council meeting of January 14<sup>th</sup>, 2025. Council will receive public feedback received by the District during the consultation process. At the Council meeting on January 14<sup>th</sup>, staff will provide Council with a summary of feedback received.
  4. Council recommends the issuance of the licence with an endorsement for an interior lounge area for the following reasons:
    - Council believes the proposal will contribute positively to the community. The cidery would provide a unique social venue in the District and would support a new local business in the agri-tourism sector; however, Council recommends reduced hours of operation: (insert) PM closing time. Council recommends the proposed closing time of (INSERT) PM for the following reasons:
      - (INSERT).
- B. THAT the following recommendation be forwarded to the Liquor and Cannabis Regulation Branch (LCRB) regarding Liquor Licence Referral Application R0000379 for property located at 3950 Irvine Road:
1. Council has considered the following:
    - The location of the establishment (3950 Irvine Road) and impacts on the surrounding neighbourhood.
    - The person capacity (30) and hours of liquor service (9:00 am to 10:00 pm).
  2. Council's comments on the prescribed criteria are as follows:

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- [INSERT comments on the impact of noise on the community in the vicinity of the establishment]
  - [INSERT comments on the general impact on the community if the application is approved]
3. Council's comment on the views of residents are as follows:
- The views of residents were solicited by letters to the surrounding property owners and tenants within a 100-metre buffer area, signage on the subject property, and advertisement in the local newspaper for two consecutive weeks on January 2<sup>nd</sup> and January 9<sup>th</sup>, 2025. Residents will be given an opportunity to provide comments at the regular Council meeting of January 14<sup>th</sup>, 2025. Council will receive public feedback received by the District during the consultation process. At the Council meeting on January 14<sup>th</sup>, staff will provide Council with a summary of feedback received.
4. Council [recommends/does not recommend] the issuance of the licence with endorsements for an interior lounge area for the following reasons:
- INSERT reasons
  - INSERT any recommended conditions placed on endorsements (e.g. restrictions on hours of liquor service, person capacity)

#### **ANAYLSIS OF ALTERNATIVE RECOMMENDATIONS**

OPTION A: Council could support the application but recommend reduced hours of operation. The final decision regarding the approval of the lounge area endorsement will be made by the LCRB.

OPTION B: This option allows Council to create its own resolution either in support of the application, in support of the application with conditions, or in opposition to the application with Council's rationale.

Respectfully Submitted.  
**Jason Tran, Planner**

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**Report Approval Details**

Document Title:	R0000379 - 3950 IRVINE RD - LIQUOR LICENSE.docx
Attachments:	<ul style="list-style-type: none"> <li>- Attachment A - R0000379 - Location Maps.pdf</li> <li>- Attachment B - R0000379 - Site Plan.pdf</li> <li>- Attachment C - R0000379 - Floor Plan from the LCRB.pdf</li> <li>- Attachment D - R0000379 - Folktale Cider Community Impact Statement.pdf</li> </ul>
Final Approval Date:	Jan 9, 2025

This report and all of its attachments were approved and signed as outlined below:

**Brian Zurek, Manager of Long Range Planning - Jan 7, 2025 - 2:17 PM**

**Jeremy Frick, Director of Development Approvals - Jan 8, 2025 - 4:39 PM**

**Reyna Seabrook, Director of Corporate Services - Jan 8, 2025 - 5:15 PM**

**Paul Gipps, Chief Administrative Officer - Jan 9, 2025 - 8:07 AM**