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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** November 21, 2001

**File No.:** LL01-010

**To:** City Manager

**From:** Planning and Development Services Department

**Subject:**

APPLICATION NO. LL01-010

OWNER: SUMAR INVESTMENTS LTD.

AT: 663 FINNS ROAD

APPLICANT: PACKING HOUSE  
NEIGHBOURHOOD PUB LTD.

PURPOSE: TO OBTAIN COUNCIL SUPPORT FOR AN INCREASE IN  
PERSON CAPACITY FROM 100 TO 150 PERSONS

REPORT PREPARED BY: KIRSTEN G. BEHLER

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**1.0 RECOMMENDATION**

THAT Council support the following amendments to the current operating restrictions as requested by Packing House Neighbourhood Pub Ltd.:

- To increase the current person capacity from 100 persons to 150 persons, subject to the following:
  - That the applicant apply for a sign permit for an existing free-standing sign;
  - That the applicant add the required parking stalls at the south end of the site;

AND THAT Council direct staff to forward the appropriate resolution to the Liquor Control and Licensing Board in Victoria.

**2.0 SUMMARY**

The applicant seeks Council support for a person capacity increase to the existing pub license. The current liquor license allows up to 100 persons in the pub, and the applicant wishes to increase the license to 150 persons. The existing site does not have sufficient parking for the proposed increase in seating capacity, and the applicant will have to provide additional stalls to accommodate the increase. Furthermore, a free-standing sign has been constructed without a permit. The applicant is required to apply for a sign permit and, should the sign prove to be non-conforming with City of Kelowna Sign Bylaw No. 8235, will also need a Development Variance Permit, or will have to modify the sign to meet the bylaw.

### 3.0 BACKGROUND

#### 3.1 The Proposal

The Packing House Neighbourhood Pub is located in North Rutland at the corner of Finns Road, Findlay Road and Fitzpatrick Road. The pub currently holds a liquor license for maximum 100 persons in the interior of the pub. The applicant wishes to accommodate 150 persons in the pub, and the additional person capacity will not require any structural changes to the premises. In addition to the interior seating, the pub has a licence for twenty seats on a covered patio.

The remainder of the site is occupied with a Beer & Wine Store, as well as parking. Currently, 43 stalls are provided on site. The increase in seating capacity requires a total of 51 stalls, and the applicant is required to provide the additional stalls on site prior to receiving a liquor licence for the increase in capacity. The attached site plan indicates how the parking can be accommodated, but the site has not been developed as shown on the plan.

The applicant constructed a free-standing sign at the northeast corner of the property without receiving a sign permit and is required to apply for the permit. Should the sign be non-conforming with the City of Kelowna Sign Bylaw No. 8235, an application for a Development Variance Permit will also be required. Alternatively, the sign will have to be modified to meet City requirements.

#### 3.2 Site Context

The subject property is located in North Rutland. The property is zoned C2 – Neighbourhood Commercial, which allows minor eating and drinking establishments as a primary use. A section of the property is within Land Use Contract 76-1103. The Land Use Contract permitted all uses included under the former C-1 (a) Rural Local Commercial zone, in which Neighbourhood Pubs were allowed as a principal use.

Adjacent zones and uses are, to the:

- North - I2 – General Industrial - storage
- East - A1 – Agriculture 1 - fields
- South - A1 – Agriculture 1 – single family dwelling
- West - I2 – General Industrial – single family dwelling and contractor business

### 3.3 Site Location Map



### 3.4 Current Development Policy

#### 3.4.1 Kelowna Official Community Plan

The property is designated as Commercial in the Official Community Plan, and the proposal is consistent with this designation.

#### 3.4.2 Rutland Sector Plan

The plan supports the creation of a mixed use Neighbourhood Village, providing local/neighbourhood commercial services, adjacent to the Findlay/Fitzpatrick Road area.

### 4.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments, and the following comments have been submitted:

#### 4.1. Inspection Services Department

Washroom and fire exits are sufficient. More parking is required than currently provided on site.

4.2. RCMP

The RCMP has no comment regarding this application.

4.3. Fire Department

The department has no comment on the proposed person capacity increase for the subject property.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns regarding the proposed person capacity increase for Packing House Neighbourhood Pub, subject to the applicant providing additional parking stalls on site and applying for a sign permit for the existing free-standing sign. The proposed person capacity increase will be accommodated within the existing building, and the impact on the community is therefore minimal.

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Andrew Bruce  
Current Planning Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning & Development Services

KGB  
Attach.

**FACT SHEET**

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|---|---------------------------------------|
| <b>1. APPLICATION NO.:</b>                    | LL01-010                              |
| <b>2. APPLICATION TYPE:</b>                   | Liquor License Application            |
| <b>3. OWNER:</b>                              | Sumar Investments Ltd.                |
| <b>ADDRESS</b>                                |                                       |
| . CITY  | Kelowna, BC                           |
| . POSTAL CODE                                 |                                       |
| <b>4. APPLICANT/CONTACT PERSON:</b>           | Packing House Neighbourhood Pub /     |
| . ADDRESS                                     | Dan Jmaeff                            |
| . CITY  | 663 Finns Rd.                         |
| . POSTAL CODE                                 | Kelowna, BC                           |
| . TELEPHONE/FAX NO.:                          | V1X 5B7                               |
|   | 765-0880 / 765-0488                   |
| <b>5. APPLICATION PROGRESS:</b>               |                                       |
| Date of Application:                          | October 11, 2001                      |
| Date Application Complete:                    |                                       |
| Staff Report to Council:                      | November 21, 2001                     |
| <b>6. LEGAL DESCRIPTION:</b>                  | Lot 1, Section 34, Township 26, Plan  |
|   | 42743, ODYD                           |
| <b>7. SITE LOCATION:</b>                      | North Rutland, at the corner of Finns |
|   | Rd., Findlay Road and Fitzpatrick     |
|   | Road                                  |
| <b>8. CIVIC ADDRESS:</b>                      | 663 Finns Rd.                         |
|   | Kelowna, BC                           |
|   | V1X 5B7                               |
| <b>9. AREA OF SUBJECT PROPERTY:</b>           | 4047m <sup>2</sup>                    |
| <b>10. EXISTING ZONE CATEGORY:</b>            | C2 – Neighbourhood Commercial         |
| <b>11. PURPOSE OF THE APPLICATION:</b>        | To receive Council support for an     |
|   | increase in person capacity from 100  |
|   | to 150 persons                        |
| <b>14. MIN. OF TRANS./HIGHWAYS FILES NO.:</b> | N/A                                   |
| <b>NOTE: IF LANDS ARE WITHIN 800 m OF A</b>   |                                       |
| <b>CONTROLLED ACCESS HIGHWAY</b>              |                                       |
| <b>15. DEVELOPMENT PERMIT MAP 13.2</b>        | N/A                                   |
| <b>IMPLICATIONS</b>                           |                                       |

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of subject property
- Site plan
- Floor plan