
CITY OF KELOWNA

MEMORANDUM

Date: March 5, 2002

File No.: LL02-0002

To: City Manager

From: Planning and Development Services Department

Subject:

APPLICATION NO. LL02-0002

OWNER: R-93 ENTERPRISES LTD /
HOTEL ELDORADO

AT: 500 COOK ROAD

APPLICANT: HOTEL ELDORADO / JIM
NIXON

PURPOSE: TO OBTAIN COUNCIL SUPPORT FOR AN INCREASE IN
SEATING CAPACITY FROM 50 TO 103 PERSONS INSIDE
THE LOUNGE AREA

TO OBTAIN COUNCIL SUPPORT TO NO LONGER
DEDUCT THE SEATING CAPACITY ON THE PATIO FROM
THE OVERALL CLASS "A" LICENCE CAPACITY IN ORDER
TO INCREASE THE SEATING ON THE PATIO FROM 13 TO
26

REPORT PREPARED BY: KIRSTEN G. BEHLER

1.0 RECOMMENDATION

THAT Council support the following amendments to the current operating restrictions as requested by the Hotel Eldorado:

- To increase the current seating capacity from 50 persons to 103 persons in the lounge area, subject to a decrease of seats in the Class "B" dining lounge area of 18 seats;
- To no longer deduct the seating capacity on the patio from the overall Class "A" capacity to be permitted to increase the seating capacity on the Class "A" patio from 13 to 26 seats

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 of the existing lounge license. The applicant wishes to increase the license for the interior of the lounge to 103 persons, which is the maximum occupancy load of the lounge. The applicant has also asked to no longer deduct the seating capacity on the patio from the overall Class "A" licence capacity, which would allow him an increase on the patio from 13 seats to 26 seats.

3.0 BACKGROUND

3.1 The Proposal

The Hotel Eldorado is located in South Pandosy, within the North Mission Residential Urban Village. The Hotel has 19 rooms, as well as a restaurant, a banquet room and a smoking room for a total of 234 patrons. Furthermore, the Hotel includes a lounge currently licensed for 50 persons.

The current liquor license allows up to 50 persons in the lounge, as well as 13 persons on the patio. In 1995, the applicant received a Council resolution supporting an increase of seats in the lounge from 50 to 85. However, the applicant either failed to make application with the Liquor Control and Licensing Board, or was never granted a new license. Since Council supported the increase at that time, it would be consistent to base the current increase on 85 seats existing. The applicant has also asked to no longer deduct the seating capacity on the patio from the overall Class “A” licence capacity, which would allow him an increase on the patio from 13 seats to 26 seats.

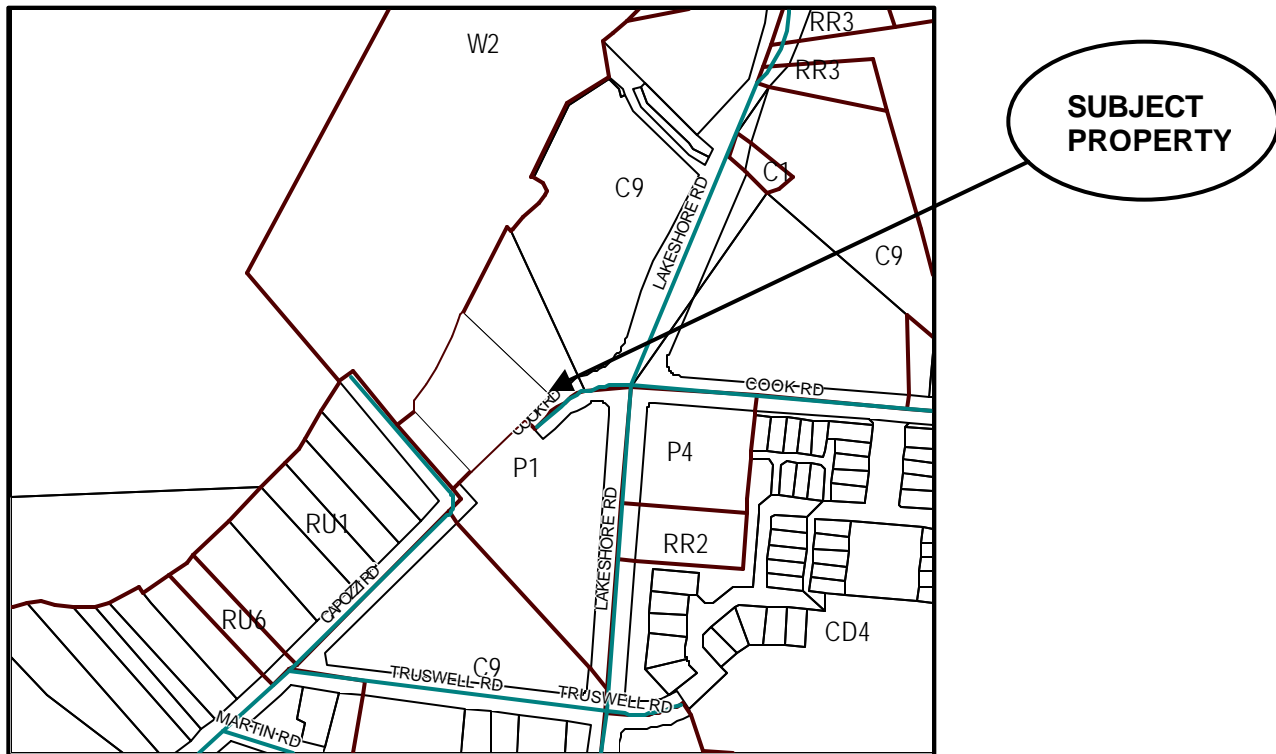
In addition to the lounge, the Hotel Eldorado has a Class “B” liquor licence for a total of 234 seats in the restaurant, the banquet room and a smoking room, as well as for 120 seats on the associated patio. Due to insufficient parking, the applicant agreed to reduce the number of seats in his banquet room from 36 to 18. Therefore, the overall number of licensed seats in the building would stay the same, since 18 seats will be transferred from the Class “B” Dining Lounge Licence to the Class “A” Lounge licence.

The current parking provided at the Hotel Eldorado does not meet the City of Kelowna Zoning Bylaw No. 8000 parking requirements. In total, Hotel Eldorado has 75 parking stalls on site. The number of stalls provided is 24 stalls lower than required per the current City of Kelowna parking requirements. The parking requirements for hotels have changed from 1 stall per 4 rooms in Zoning Bylaw No. 4500 to 1 per room in Zoning Bylaw No. 8000. Under the old parking requirements and at its current seating capacity (based on the 50 licensed seats for the lounge), the Hotel Eldorado is only one parking stall short. Based on 85 seats in the lounge, the hotel is 24 parking stalls short. The parking provided at the Hotel Eldorado is therefore currently non-conforming. However, since the overall number of licensed seats in the interior does not change, there is no increase in parking demand, and the application can therefore be supported. Furthermore, the Hotel Eldorado receives most of its business in the summer time. The applicant provided information that up to 50 boats could be accommodated in boat slips open to the general public at the hotel. Although these slips cannot be formally counted as parking stalls, they clearly provide some form of parking for some patrons in the summer and therefore help alleviate a potential parking problem.

Parking Requirements:

USES	ROOMS/SEATS (proposed)	REQUIREMENT	TOTAL REQUIRED	TOTAL PROVIDED
Hotel	19 rooms (existing)	1 per room	19	
Restaurant and Banquet Room	216 indoor (proposed, reduced from 234)	1 per 4 seats	54	
Lounge	103 seats indoor	1 per 4 seats	25.75	
TOTAL SEATS INDOOR			99	75

3.2 Site Location Map



3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

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

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

The application as revised has been reviewed.
The existing washrooms will accommodate 200 persons. The overall number of seats is higher; however, there are no safety concerns associated with this shortage of washrooms. The occupant load on the restaurant is needed to get the total occupant load. The exiting is ok.

4.2. RCMP

No comment.

4.3. Fire Department

The occupant load of 103 is in line with the BCBC

4.4. Public Health Inspector

The plans under review meet the Public Health Inspector's approval under the following conditions:

Full compliance with the WCB Environmental Tobacco Smoke Regulation by May 1, 2002. In particular, a decision has to be made as to whether the entire facility will go non-smoking, whether smoking will be outside only, or whether there will be a smoking room. If there is to be a smoking room, the smoking room must be no greater than 45% of the bar seating area, and smoke from the smoking room must not drift into the non-smoking area. If a smoking room is proposed, we recommend that all engineering aspects are determined prior to approval of this application.

The Planning and Development Services Department recognizes that the smoking arrangements are important for the health of patrons and staff, and the applicant is encouraged to address these as soon as possible. However, Council cannot currently enforce smoking and non-smoking arrangements on the premises, and it is therefore recommended to not tie them to this application for an increase in seating capacity.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns with the proposed seating increase for the lounge from currently 50 seats to 103 seats requested. Despite the hotel having insufficient parking, the proposed increase of seats in the lounge areas does not constitute an overall increase, since the banquet room seating will be reduced by 18 seats. Therefore, no negative impact on the community is anticipated due to the increase of seats in the lounge.

The applicant is encouraged to contact the Public Health Officer regarding smoking and non-smoking arrangements in the lounge. Although the Planning and Development Services Department recognizes the importance of smoking and non-smoking seating in the lounge, the department feels that this should not be a condition of Council supporting the increase in seating capacity.

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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| 1. APPLICATION NO.: | LL02-002 |
| 2. APPLICATION TYPE: | Liquor License Application |
| 3. OWNER:
ADDRESS
. CITY
. POSTAL CODE | R-93 Enterprises Ltd. / Hotel Eldorado
500 Cook Road
Kelowna, BC
V1W 3G9 |
| 4. APPLICANT/CONTACT PERSON:
. ADDRESS
. CITY
. POSTAL CODE
. TELEPHONE/FAX NO.: | Hotel Eldorado / Jim Nixon
As above

763-7500 / 861-4779 |
| 5. APPLICATION PROGRESS:
Date of Application:
Date Application Complete:
Staff Report to Council: | January 30, 2002
March 5, 2002 |
| 6. LEGAL DESCRIPTION: | |
| 7. SITE LOCATION: | North Mission Residential Urban Village |
| 8. CIVIC ADDRESS: | 500 Cook Road |
| 9. AREA OF SUBJECT PROPERTY: | 5608m ² |
| 10. EXISTING ZONE CATEGORY: | C9 – Tourist Commercial |
| 11. PURPOSE OF THE APPLICATION: | To receive Council support for an increase in person capacity from 50 seats to 103 seats in the Class “A” lounge area and to no longer deduct the patio seating from the seating capacity of the licensed area |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.:
NOTE: IF LANDS ARE WITHIN 800 m OF A
CONTROLLED ACCESS HIGHWAY | N/A |
| 15. DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | N/A |

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan
- Floor plan of lounge area