
CITY OF KELOWNA

MEMORANDUM

Date: July 19, 2002
File No.: LL02-0005

To: City Manager

From: Planning and Development Services Department

Subject:

APPLICATION NO. LL02-0005 OWNER: 622623 BC LTD.

AT: 150 HIGHWAY 33 WEST APPLICANT: KEITH WILSON

PURPOSE: TO OBTAIN COUNCIL SUPPORT FOR A CLASS "C"
CABARET LIQUOR LICENCE

REPORT PREPARED BY: KIRSTEN G. BEHLER

1.0 RECOMMENDATION

THAT Council support the licensing of a Class "C" liquor licence proposed by North Forty (Keith Wilson) for 150 Highway 33 West;

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 Class "C" (Cabaret) liquor licence for a new cabaret in Rutland. The licensed occupancy load would be approximately 255 persons. The hours of the establishment would be from 7:30 p.m. to 2:30 a.m.

3.0 BACKGROUND

3.1 The Proposal

The applicant wishes to operate a dance hall and saloon in the former Rutland library on Highway 33, and is therefore seeking Council support for a Class "C" (Cabaret) licence. The total occupancy load of the venue would be 255 persons in the dance hall and the lounge ("saloon") area.

The hours of operation of the cabaret would 7:30 p.m. to 2:30 a.m., subject to change with new liquor licence regulations.

Parking is provided on site. The site is located in the C4 – Town Centre Commercial zone, where 1.75 stalls are required for 100m² GFA. The required number of parking stalls is 12. The Ministry of Transportation requires 4.4 stalls per 100m²

GFA, therefore requiring 27 stalls for the proposed cabaret. Forty stalls are provided on the subject property, thereby exceeding both City of Kelowna and Ministry of Transportation parking requirements.

The applicant wishes to make a number of changes to the interior and exterior of the building. All exterior changes will have to be addressed in a Development Permit. In addition, the applicant should contact the Inspection Services Department to discuss required upgrades to the building.

Presently, the applicant is leasing the subject property. He and the owner of the property, who also owns the property to the east (110 Hwy 33 W., Lot 1, Plan 37305), agreed for the applicant to make some changes to the corner lot. The changes, which would include landscaping, would improve the visual quality of the property until it is scheduled for redevelopment. They will be addressed as part of the Development Permit required for the upgrades of the subject property.

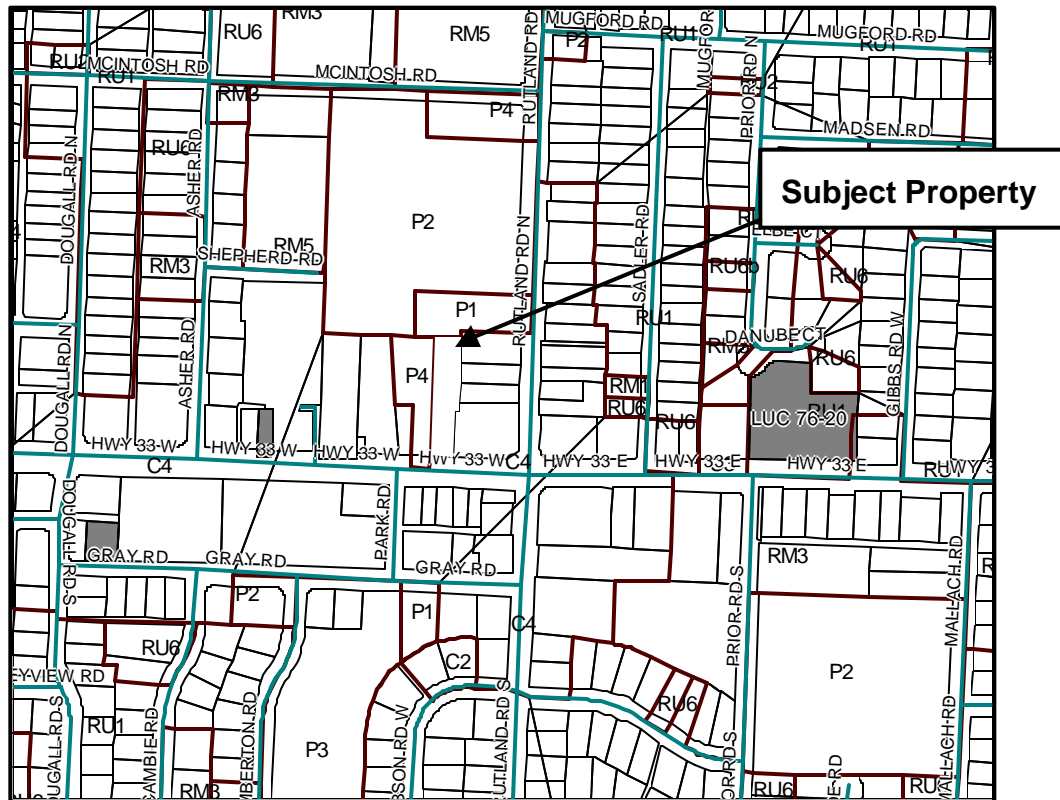
3.2 Site Context

The subject property is located in the Rutland Town Centre, on the north side of Highway 33 West. The area is predominantly zoned C4 – Town Centre Commercial, with institutional zones to the north and west of the property. No other Class “C” licensed venues exist in Rutland. One neighbourhood pub is located in close proximity to the subject property at 155 Rutland Road South. The nearest residential zones are approximately 200 to 300 metres away from the subject property, on Saddler Road to the east, Asher Road to the west and Robson Road to the south.

Adjacent zones and uses are, to the:

- North - P1 – Major Institutional – Canada Post
- East - C4 – Town Centre Commercial – retail and office space, fast food outlet
- South - C4 – Town Centre Commercial – restaurant
- West - P4 – Utilities – Rutland Water Works

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.

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

Inspection Services has reviewed the application as presented. The washrooms and exiting are sufficient. The maximum occupant load for the interior spaces is 255 persons.

This building will require upgrading if this use is approved, and the applicant should contact the building department.

4.2. RCMP

The RCMP has no comment.

4.3. Fire Department

Fire alarm system required. B/D to confirm occupant load calculations.

4.4. Health Unit

No objections at this time to the above proposal. Prior to opening, approval of floor plans and a permit to operate will be required.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns with the proposed Class “C” liquor licence for North Forty Enterprises in Rutland. Presently, no Class “C” licensed venue exists in the area. The nearest cabaret is located west of the Highway Centre on Kirschner Road. Furthermore, only two Class “D” Neighbourhood Pub establishments exist in Rutland, one at 155 Rutland Road South, approximately one block from the subject property, and on Finns Road.

The building will require upgrades to meet the Building and Fire Codes, and the applicant is encouraged to contact Inspection Services to discuss all requirements. Furthermore, the applicant will be required to apply for a Development Permit to address all façade, parking lot and landscape changes.

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.: | LL02-0005 |
| 2. APPLICATION TYPE: | Liquor License Application |
| 3. OWNER: | 622623 BC Ltd. |
| ADDRESS | 203 – 125 Hwy. 33 East |
| · CITY | Kelowna, BC |
| · POSTAL CODE | V1X 2A1 |
| 4. APPLICANT/CONTACT PERSON: | North Forty Enterprises / Keith Wilson |
| · ADDRESS | 180 – 1255 Raymer Avenue |
| · CITY | Kelowna, BC |
| · POSTAL CODE | V1W 3S3 |
| · TELEPHONE/FAX NO.: | 717-8321 / same |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | June 16, 2002 |
| Date Application Complete: | |
| Staff Report to Council: | July 18, 2002 |
| 6. LEGAL DESCRIPTION: | Lot 1, Plan 2037, ODYD |
| 7. SITE LOCATION: | Rutland, on the north corner of Hwy. 33, west of Rutland Road |
| 8. CIVIC ADDRESS: | 150 Hwy. 33 W. |
| 9. AREA OF SUBJECT PROPERTY: | 2558m ² |
| 10. EXISTING ZONE CATEGORY: | C4 – Town Centre Commercial |
| 11. PURPOSE OF THE APPLICATION: | To receive Council support for a Class “C” liquor licence |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.: | N/A |
| NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | |
| 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
- Elevations